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TWENTY-FOURTH ANNUAL REPORT

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OF THE

EXECUTIVE COMMITTEE

OF THE

PRISON ASSOCIATION OF NEW YORK,

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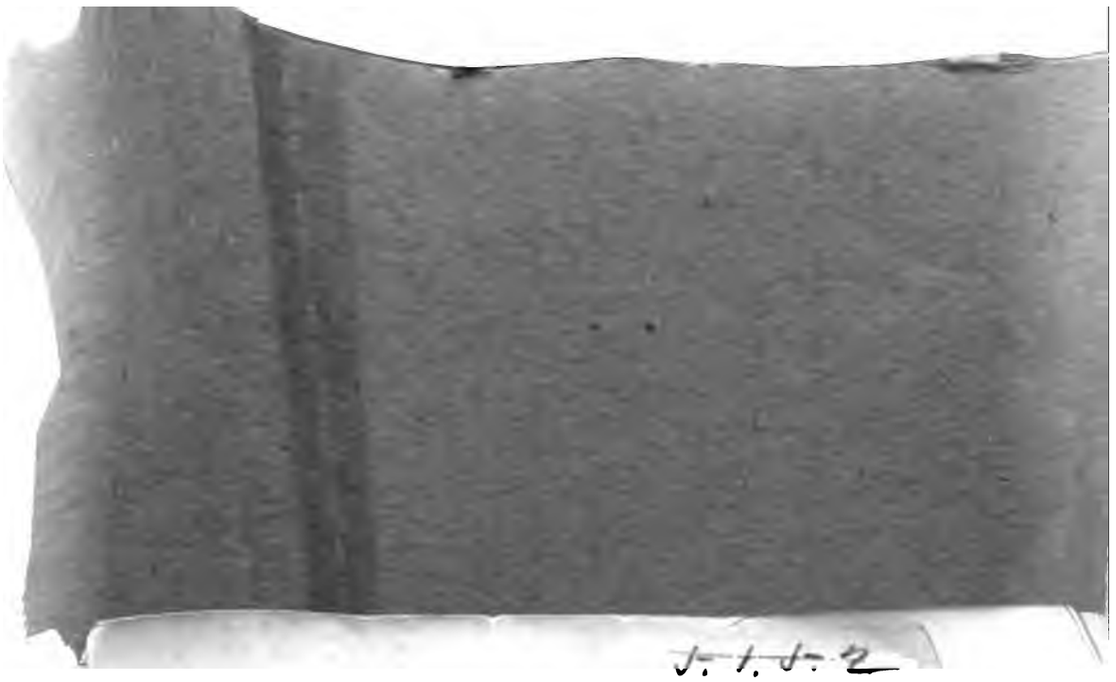
ACCOMPANYING DOCUMENTS,

FOR 1868.

TRANSMITTED TO THE LEGISLATURE, JANUARY, 13, 1869.

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THE ARGUS COMPANY, PRINTERS,
1869.





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Sec'y.

STATE OF NEW YORK.

No. 10.

IN SENATE,

January 13, 1869.

TWENTY-FOURTH ANNUAL REPORT

OF THE EXECUTIVE COMMITTEE OF THE PRISON ASSOCIATION OF NEW YORK.

To the Hon. Allen C. Beach,

Lieutenant-Governor and President of the Senate:

Sir — I have the honor to hand you herewith, as by law required, the Twenty-fourth Annual Report of the Prison Association of New York, and ask that you will lay the same before the Legislature.

Very respectfully,

Your ob't serv't,

E. C. WINES,

Corresponding Sec'y.

Rooms of the Association,
38 Bible House, New York,
January 13, 1869.

LOCAL COMMITTEES OF CORRESPONDENCE.

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By the contribution of $500 at one time.

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Mons. Cortina, Madrid, Spain.
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Miss Lenox..... do.
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William Wood..... do.
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Thomas W. Olcott.....Albany, N. Y.
Erastus Corning..... do.

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By contribution of $50 at one time, (formerly $25).

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William E. Wilmerding	do.
R. R. Winthrop	do.
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Henry Young	New York.
H. Burrell	Salisbury, N. Y.
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Rev. Mr. Elliot	do.
Rev. Mr. Searls	Meriden, Ct.
S. D. Gregory	Jersey City, N. J.



CHARTER AND CONSTITUTION

OF THE

PRISON ASSOCIATION OF NEW YORK.

AN ACT TO INCORPORATE THE PRISON ASSOCIATION OF NEW YORK, PASSED MAY 9, 1846, BY A TWO-THIRDS VOTE.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

§ 1. All such persons as now are or hereafter shall become members to the said association pursuant to the constitution thereof, shall and are hereby constituted a body corporate by the name of The Prison Association of New York, and by that name have the powers that, by the third title of the eighteenth chapter of the first part of the Revised Statutes, are declared to belong to every corporation; and shall be capable of purchasing, holding and conveying any estate, real or personal, for the use of said corporation: Provided, that such real estate shall never exceed the yearly value of ten thousand dollars, nor be applied to any other purpose than those for which this corporation is formed.

§ 2. The estate and concerns of said corporation shall be managed and conducted by its executive committee, in conformity to the constitution of the said corporation; and the following articles that now form the constitution of the association shall continue to be the fundamental laws and constitution thereof, subject to alteration in the mode therein prescribed.

Article I.

The objects of the association shall be—

1. The amelioration of the condition of prisoners, whether detained for trial, or finally convicted, or as witnesses.

2. The improvement of prison discipline, and the government of prisons, whether for cities, counties or States.

3. The support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood, and sustaining them in their efforts at reform.

ARTICLE II.

The officers of the society shall be a president, vice-presidents, a recording secretary, a corresponding secretary and a treasurer, and there shall be the following standing committees, viz.: a finance committee, a committee on detention, a committe on prison discipline, a committee on discharged convicts and an executive committee. The number of the executive committee shall consist of not more than thirty-five, of whom not more than ten shall be officers of the society, and not more than twenty-five shall be persons other than officers.

ARTICLE III.

The officers named in the preceding article shall be *ex-officio* members of the executive committee, who shall choose one of their number to be chairman thereof.

ARTICLE IV.

The executive committee shall meet once in each month, and keep regular minutes of their proceedings. They shall have a general superintendence and direction of the affairs of the society, and shall annually report to the society all their proceedings, and such other matters as shall be likely to advance the ends of the association.

ARTICLE V.

The society shall meet annually in the city of New York, at such time and place as the executive committee shall appoint, and at such other times as the president, or in his absence, one of the vice-presidents shall designate.

ARTICLE VI.

Any person contributing annually to the funds of the association not less than five dollars shall, owing to such contribution, be a member thereof. A contribution of five hundred dollars shall constitute a life patron; a contribution of one hundred dollars shall constitute an honorary member of the association for life; and a contribution of fifty dollors shall constitute a member of the association for life. Honorary and corresponding members may from time to time be appointed by the executive committee.

ARTICLE VII.

A female department shall be formed, consisting of such females as shall be selected by the executive committee, who shall have charge of the interest and welfare of prisoners of their sex, under such regulations as the executive committee shall adopt.

ARTICLE VIII.

The officers of the association shall be chosen annually at the annual meeting, at which time such persons may be elected honorary members as shall have rendered essential service to the cause of prison discipline.

ARTICLE IX.

Any society having the same objects in view may become auxiliary to this association by contributing to its funds and coöperating with it.

ARTICLE X.

The executive committee shall have power to add to any of the standing committees such persons as, in their opinion, may be likely to promote the objects of the society; and shall have power to fill any vacancy which may occur in any of the offices of the association, intermediate the annual meetings.

ARTICLE XI.

This constitution may be amended by a vote of the majority of the society, at any meeting thereof, provided notice of the amendment has been given at the next preceding meeting.

The officers elected for the current year under the constitution shall continue to be the officers thereof until others shall be duly chosen in their places.

And it is hereby further enacted, that no manager of said society shall receive any compensation for his services.

§ 3. The said executive committee shall have power to establish a workhouse in the county of New York, and in their discretion to receive and take into the said workhouse all such persons as shall be taken up and committed as vagrants or disorderly persons, in said city, as the court of general sessions of the peace, or the court of special sessions, or the court of oyer and terminer, in said county, or any police magistrate, or the commissioner of the almshouse, may deem proper objects; and the said executive committee shall have the same powers to keep, detain, employ and govern the said persons as are now by law conferred on the keepers of the bridewell or penitentiary in said city.

§ 4. The said executive committee may from time to time make by-laws, ordinances and regulations relative to the management and disposition of the estate and concerns of said association, and the management, government, instruction, discipline and employment of the persons so as aforesaid committed to the said workhouse, not contrary to law, as they may deem proper; and may appoint such officers, agents and servants as they may deem necessary to transact the busi-

BY-LAWS OF THE PRISON ASSOCIATION OF NEW YORK.

I. There shall be a stated meeting of the executive committee on the fourth Wednesday of each month, and special meetings shall be held on the requisiton of the chairman or any three members of the executive committee. The call for a special meeting shall, in all cases, state the business to be transacted at said meeting.

II. At every meeting of the executive committee, five members shall be necessary to constitute a quorum.

III. The order of business at every stated meeting shall be as follows:

1. The reading and approval of the minutes of the last preceding meeting.
2. Report of the treasurer.
3. Reports from standing committees.
4. Report from the corresponding secretary.
5. Reports from special committees.
6. Report from the general agent.
7. Miscellaneous business.

At a special meeting, no other business shall be transacted than that for which the said meeting was called.

IV. The chairman shall appoint all special committees; and no person nominated by him shall be excused, unless upon reasons satisfactory to the meeting.

V. The chairman shall decide all questions of order, subject to an appeal; and the rules of order shall be those embodied in Cushing's Manual, so far as they are applicable.

VI. There shall be four standing committees, namely: a committee on finance, a committee on detentions, a committe on discharged convicts, and a committee on prison discipline.

VII. It shall be the duty of the finance committee:

1. To devise ways and means for obtaining the funds necessary to carry on the work of the association; and they may at their discretion, employ an agent to collect the requisite funds.
2. To audit all bills against the association; and no bill shall be paid by the treasurer unless approved by the committee and countersigned by the chairman.
3. To audit and report upon the treasurer's accounts annually.
4. To invest and control the surplus moneys of the association, under the authority of the executive committee.



VIII. It shall be the duty of the committee on detentions:

1. To inquire, as far as may be practicable or necessary, into the causes of commitment of persons in the prisons or houses of detention in the cities of New York and Brooklyn, and to adopt proper measures for procuring the discharge, or providing for the defence, of such as shall appear to be entitled thereto.

2. To visit frequently the prisons under their charge, and to endeavor to improve both the physical and moral condition of the prisoners in all suitable and practicable ways.

IX. It shall be the duty of the committee on discharged convicts:

1. To correspond with prison agents or superintendents relative to the character and trades of prisoners, and to ascertain, previous to the discharge of each prisoner, his feelings, views and capabilities, with a view to making the best arrangements for his future employment.

2. To keep a record of all persons who will employ discharged prisoners, and of their several occupations; to procure such employment for prisoners applying therefor as seems best adapted to the capacity of each; to hold correspondence with employers; to keep a record of the conduct and prospects of those for whom places have been obtained, that they may be sustained and encouraged with the idea that a continued friendly interest is felt for them.

3. To procure suitable boarding places for discharged prisoners, where they will not be exposed to corrupting influences — taking care not to have more than one in a place, where it can be avoided.

4. To see that the prisoners are provided with suitable clothing, of a kind that will not attract particular attention.

X. It shall be the duty of the committee on prison discipline:

To give attention to the internal organization and management of prisons, embracing the physical and moral influences to be exerted on the prisoners during their confinement. This duty shall be comprised under the following heads: health, reformation, convict labor, administration and internal police, comparison of different prison systems, visitation of prisons and houses of reformation, and the whole subject of criminal law and penal justice.

XI. One or more agents may be appointed by the executive committee to assist the standing committees in the performance of their duties.

XII. The recording secretary of the association shall be the secretary of the executive committee; and it shall be his duty to keep the minutes of the proceedings of said committee, to record them in a book provided for that purpose, and to give due notice of all meetings of the committee.

XIII. The corresponding secretary shall conduct the correspondence of the executive committee and of each of the standing committees when required; shall act as the general financial agent of the association; and shall report at each stated meeting of the committee.

XIV. The treasurer shall receive and safely keep all moneys belonging to the association; shall pay over the same as directed by the finance committee; shall report at each stated meeting of the executive committee, and shall give such security for the faithful discharge of his duty as that committee shall require.

XV. The president, chairman of the executive committee, and corresponding secretary shall be members, *ex-officio*, of all the standing committees.

XVI. No alteration shall be made in these by-laws except upon notice of the proposed amendment given at a previous meeting of the executive committee.



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the sum of human happiness greatly augmented. These, and such as these, are every day results of the agent's friendly and judicious interposition; results most important in themselves, as well as cheering to every humane and philanthropic heart.

Securing to the Accused a Fair Trial.

Judicious aid to this end is often an act of benevolence, and even of justice, shielding the innocent, and preventing the infliction of undue punishment on those who have violated the law under extenuating circumstances. Crimes may be arranged in different classes, as regards their real character. Some are deliberate, the effect of innate and confirmed atrocity; others are committed under infirmity, and are the result of a feeble and irresolute will. Some crimes are malicious; others spring from impulse, provocation, temptation, poverty, ignorance, or inexperience. Old and hardened offenders — professional thieves, burglars and pick-pockets — form a class widely different from the poor, the tempted, the impulsive, the young, the ignorant transgressor. It is within the not infrequent experience of the Association that either from lack of due knowledge on the part of the court of the antecedents of prisoners, or for want of disinterested and judicious aid at the time of trial, injustice is done, sometimes to the accused, sometimes to the State; but, in either case, the consequences resulting are injurious to the best interests of society. No better illustration of the truth of this statement can be had than in the daily proceedings of our criminal courts. Numerous cases of minor offences are often presented at the same sitting for summary trial, mostly of persons in humble life, whose character is their only capital; and, too often, among these are found those who are driven to crimes by destitution, misfortune, or injustice. It will be readily seen that, to adjudicate fitly these many and various cases, the exercise of discretion and mercy, as well as justice, in the presiding officers of these courts, is indispensable. It is by searching out and communicating to the judge a knowledge of the facts in each case, that justice is sought to be secured by the Association — justice tempered, when there is a needs-be, with that clemency and mercy which are evermore attributes of the upright and conscientious magistrate.

Detained Prisoners.

The visitation of persons arrested and held for examination or trial, in the various detention prisons of New York and Brooklyn, is one of the most important duties of the general agent of the Association. It will be readily conceded, that among the vast number of arrested persons, some are innocent, and yet in danger of being

convicted and imprisoned through the testimony of hired and perjured witnesses. Others are condemned for the want of honest and capable counsel to defend them on their trial. Others, still, are stripped of all they possess by a class of lawyers, known as "shysters," without receiving any beneficial services. A fourth class, by reason of unexplained circumstances, are condemned to punishments unduly severe, which might be properly mitigated if the matters in extenuation were reliably brought to the notice of the court, but which, owing to the fears, confusion, ignorance or friendless situation of the accused, cannot be furnished without timely aid volunteered upon the spot. To all such the Society extends sympathy and aid, counsel and protection, according to the exigencies of their several cases.

Discharged Prisoners.

The object primarily contemplated by the founders of the Prison Association, was encouragement and assistance to the liberated prisoner on his return to the ordinary associations of life. They wisely thought, differing in this from the crude and cruel sentiment that too generally prevailed in the community, that the convict was a man still, and, like other men, open to the influence of rational motives, and therefore reclaimable to virtue by appeals to his interest, his self-respect, his manhood and his moral sense, and by the manifestation of genuine sympathy, kindness and interest in his personal welfare. The truth of this opinion has been abundantly attested by the experience of twenty-four years. Yet there are still numbers who have little faith (we are sorry that some of them are found among prison officers) in efforts which look to the reformation of convicts, and who consider such efforts well nigh useless. But our theory is, that there is no human being so debased and wicked that he cannot be reclaimed — sometimes through the influence and sympathy of his fellow creatures, but oftener by the grace of God and the power of the gospel. The opinion is too prevalent that they who commit crimes, and thereby subject themselves to punishment in a prison, are beyond the reach of improvement, if not beyond all claim upon the sympathies of a moral and Christian community. This is a sad error, an uncharitable if not wicked conclusion; for it is a well ascertained fact that many of the convicts discharged from our prisons repent of the crimes they have done, return to a course of virtuous industry, and, despite all obstacles, persevere in an honest way of living. The truth is, that the discharged convict is an unfortunate fellow-creature, needing our pity and friendly commiseration. Though guilty and fallen, he has yet a heart to feel; and the effect of human sympathy and Christian kindness is to touch some chord

of the soul which has refused to vibrate to harsher sounds, or to waken into life some latent spark of humanity, which hitherto has lain dormant under the withering influence of neglect or bad associations, followed by some criminal act and a too arbitray and stern administration of justice.

Prison Discipline.

The object of this department of the society's work is to reform the prisons themselves; and surely they need reforming no less than their inmates. Much has been accomplished through the labors of the Association in this direction. The reform effected extends to the organization, structure, arrangement, government, instruction, dietary, libraries and discipline of our prisons. But the greatest advance has been in the incorporation of rewards into our prison system as an element of the discipline. Nevertheless, there remains much land to be possessed. There is a great work still to be done. This principle must receive a far broader application than has hitherto been given to it. The stimulus of hope must be made more pervading, more steady, more vital and active through organization, before it can be made to exert its full power of beneficence, and accomplish all the good of which it is capable.

Labors of the General Agent in 1868.

The following summary of the Agent's work is offered, the details of which will be submitted in his own report:

3,230 persons, poor, friendless, and needing counsel and aid, were visited by him in the detention prisons of New York and Brooklyn.

878 complaints were carefully examined.

320 complaints were withdrawn at his instance, as being of a trifling character, or founded in mistake, prejudice or passion.

353 prisoners were discharged by the courts on his recommendation, who were either young in years, or innocent of the offences charged, or manifestly penitent and resolved to "sin no more."

1,736 liberated prisoners were aided with board, tools, railroad tickets or money.

281 discharged convicts were provided with work.

237 released prisoners were supplied with clothing.

Results of Twenty-four Years' Work.

83,324 persons visited in prison.

34,892 complaints examined.

4,438 complaints withdrawn.

7,363 prisoners discharged from custody.

16,394 released prisoners aided with board, money, tools, &c.

3,982 provided with work, by which more than nine-tenths of them have been saved from relapsing into crime.

This gives a grand total of 146,779 cases, in which relief of some kind—moral, material, or both—has been extended to persons who have been arrested and imprisoned, justly or unjustly, on a charge of crime. But besides the aid thus given to the accused and the convicted, relief, more or less extensive, has been afforded to thousands of persons connected with the families of prisoners.

No doubt many of the one hundred and forty-six thousand beneficiaries included in the foregoing summary, derived little benefit from our benefactions beyond a temporary relief of their suffering. On the other hand, it is no less certain that not a few, through the timely assistance thus rendered, have been prevented from entering on a career of crime, or turned back after they had commenced it, and so have been saved to themselves and society. Who would grudge the moderate expenditure necessary to secure so beneficial a result? Who can regret his own contributions toward an end so fraught with blessing to man and glory to God?

We have presented the results of twenty-four years' work in the detention and discharged convict departments, as far as such results can be shown by figures. "But no genius can compute, no arithmetic can exhibit the sum total of tears that have been dried, of sorrows that have been soothed, of suffering that has been alleviated, of good purposes that have been strengthened, of virtue that has been restored, of crime that has been prevented, of manhood that has been given back, of the happiness that has revisited desolated and aching hearts, of the respect and confidence that have been regained, and of the money that has been saved to society by these benevolent and self-denying labors. This is a revelation which eternity alone will open to the view; but it is a revelation which, if we could but anticipate the disclosures of the last day, would even to our imperfect and selfish apprehension, repay a thousand-fold all the treasure and all the toil that have been expended in securing the glorious consummation."*

Before leaving the subject of results, it seems proper to refer to the beneficent influence of the Association in waking up a fresh interest in prison discipline throughout the country, and in helping to form a sound, healthy and vigorous public sentiment in reference thereto. Proofs of such a revival are abundant and daily increasing. These proofs are found in the organization of prison discipline

* 21st Annual Report.

societies in several States, and the proposal to organize similar associations in others; in the appointment by a number of States of commissioners composed of leading citizens, to consider the subject of prison reform and report improved penitentiary systems for their respective States; in the increased attention given to the subject by the public press, that sure index and efficient director of public opinion; and in the correspondence of the Prison Association itself.

Documents accompanying this Report.

The Executive Committee feel no hesitation in expressing the conviction that in no former year of the Society's history has our annual miscellany contained papers so valuable as those embodied in the present document, in reference to the many topics discussed by so many different writers, but all relating to the one comprehensive subject of prison reform. We cannot, of course, attempt the briefest analysis of the contents of so extensive a collection of reports and essays. Nor indeed do we deem this either necessary or desirable. We would much prefer that the members of the Legislature, and the people generally, would read the weighty facts, principles and suggestions contained in these papers, as they came warm and living from the minds and pens of their authors, than any cold and dry abstract of their contents that we might offer. We shall, therefore, content ourselves with an enumeration (and little more) of the several productions herewith presented to the public, and the expression of a hope that many will "read, mark, learn and inwardly digest" the important matters therein set forth.

The principal documents referred to in the foregoing paragraph are as follows:

I. *The Treasurer's Report.* From this it will appear that, owing to the illness of the Corresponding Secretary and consequent failure to obtain the usual grant from the city of New York, the Association has been obliged to resort to a loan of several thousand dollars for the necessary funds to carry on its operations. This will make it necessary to ask the Legislature to authorize the insertion of a double appropriation in the city tax levy for next year.

II. *The Report of the General Agent.* This will give the usual statistics of crime in the city, together with a detail of cases in the departments of detained and liberated prisoners, showing the nature, extent, importance and utility of these labors. The discreet management of the hundreds of cases in these departments, which every year engage the Agent's attention, requires rare skill and judgment. Few men have the patience, industry, tact, perseverance, and, above all, the disposition to undertake such labors, and still less

to continue in the cheerful performance of them for a life time. These qualities are possessed by Mr. Beal in an eminent degree. He has, moreover, the confidence of the Criminal Courts and the District Attorneys to a degree which shows his trustworthiness and power for good more fully than anything we might say in his praise. He is quick in the discernment of character, prompt in decision, energetic in action, ever respectful, but no less fearless, in his dealings with the authorities, keen in the scent and bold in the exposure of the abuses and impositions practised by the more unworthy members of the bar, full of sympathy for such as need it, but a terror to the villains who make crime a trade. His position is one in which his influence might be sold, and where it would often bring a high price, but he has never imperiled his usefulness by so much as laying himself open to suspicion. Criminal Judges of the highest character have not hesitated to declare that they could not discharge their duties as well without his aid; and he has often been consulted in regard to the sentences which it would be proper to impose on persons convicted of a violation of law. Nor should we omit to mention in this connection that while his counsels, in cases where he thought it wisest and best, have many times softened the rigors of criminal administration, they have not unfrequently added to the severity of the punishment assigned to old and hardened offenders. It is fortunate for the Association that they have been able to find such a man, and no less fortunate for the community that his gifts are so unremittingly and beneficently exerted in its behalf.

III. *A Review of the Condition and Working of the State Prisons of the United States, for the Year* 1867. All the reports of prisons, which have published reports, have been examined, and an extended correspondence carried on with prison and State officials in States where no reports have been issued, to secure the information needed to make this review at once comprehensive and reliable. A *resumé* of what has been done and proposed in each individual prison is given; an extended table of prison statistics is embodied in the paper; and the lessons yielded by these statistics are drawn out in detail. It is apparent from this review that prison discipline in America is advancing in the right direction.

IV. *A Review of Reformatory Work in the United States, for* 1867. The materials for this paper have been obtained in the same way as those for the one mentioned under the foregoing head; and the paper itself is constructed upon the same general plan. A statistical table, embracing more than sixty items of information, arranged in as many columns, will be found in this review.

V. *Commutation Laws in the United States.* The text of all the laws of this kind enacted in our country is given, from which it will be seen that the Legislatures of eighteen States and the Congress of the United States have passed such laws. A table is inserted, giving the time that may be earned by good conduct, from one to twenty years, under each and all of these statutes. A history of the legislation in this and other countries on the subject of shortening sentences, as an incentive and reward to good conduct and industry, is given, which reveals some remarkable facts; particularly the fact that the conception of this measure, so fruitful of good to the poor prisoner, originated in five different places, widely separated from each other, with no inter-communication between the men in whose minds the conception sprang up, and without the knowledge by any one of the five that the thought had occurred to any but himself. This is a psychological phenomenon that may be commended to the study of the philosophers.

VI. *An Essay on Education in Prisons.* The facts embodied in this paper are drawn from printed reports and from written replies to a series of questions addressed to the heads of all the leading prisons in the United States. The education given in our penal institutions is far below the proper standard; nevertheless, there is evidence of progress, and hope for the future.

VII. *Prison Architecture.* A valuable paper on this subject will be found among the documents composing the present report. The letter-press is illustrated by engravings, giving ground plan and elevation of model prisons of four different classes of prisons — the State prison, the house of correction, the county jail and the station house. Our corresponding member, Mr. Gridley J. F. Bryant, of Boston, has rendered invaluable aid to the committee, of which he is a member, by furnishing the necessary drawings and making several journeys from Boston to New York, without cost to the Association other than his traveling expenses. Mr. Bryant is an architect of eminence, and has built more prisons than any other architect in the United States, and it is but an act of justice to add that his prisons are among the best and most approved in respect both of convenient arrangement and architectural beauty of which our country can boast.

VIII. *Municipal or Intermediate Prisons.* A paper under this title is furnished by Mr. Z. R. Brockway, Superintendent of the Detroit house of correction. By "intermediate" Mr. B. means holding a middle place between the State prison and the county jail, and not, as the term is used in the Irish system, intermediate between an imprisonment strictly penal and one which borders closely on

liberty. The class of prisons of which he treats are those which are designated in different States, house of correction, penitentiary, bridewell, etc. Mr. Brockway is a prison officer of great ability, large experience and solid judgment; and his utterances on topics connected with his profession have all the weight and authority with which these qualities would naturally invest them. There is much in his essay, both instructive and suggestive.

IX. *Impressions of Prison Life in Great Britain.* The Rev. David Dyer, chaplain and historian of the Albany penitentiary, spent several months abroad during the past summer, and naturally devoted considerable attention to the visitation of prisons and interviews with persons interested in prison discipline, particularly Sir Walter Crofton and Mr. M. D. Hill, lately the eminent recorder of Birmingham. Mr. Dyer has furnished for us a report of his observations and impressions, which is of much interest and value.

X. *Report on the State Prisons of New York.* At its last session the Legislature instructed the Association to inquire specially into the financial administration of the prisons, and also how far and what means are employed in them with a view to the reformation of their inmates. This duty has been performed as thoroughly as the time at the disposal of the committee would enable them to discharge it. A considerable amount of testimony was taken in each of the three prisons, which will be found carefully analyzed and the results embodied, together with sundry suggestions and recommendations in the paper prepared by the committee and herewith submitted to the Legislature.

XI. *Reports on the Penitentiaries of the Counties of Albany, Onondaga, Monroe and Erie.* These institutions, it will be seen, without having reached the point of perfection, continue to be efficiently managed.

XII. *Reports on County Jails.* Little improvement will be noted here; nor will there ever be much advance till the administration of the jails is placed in the hands of some central authority. When specific reforms are urged upon Boards of Supervisors, they readily admit, for the most part, their fitness and necessity; but they are never prepared to do anything just then; they think it would be better to postpone action until a new Board is elected. When the next Board comes in, and the next, and the next, they concede, delay, frame excuses, and do nothing, as their predecessors did before them. And so things go on from year to year, and from decade to decade; our jails, meanwhile, remaining a blot upon our civilization, a festering sore on the body politic, fruitful enough in the production of crime, but with little restraining or preventive power.

XIII. *Reports of Local Committees on County Jails.* A good work is done by some of these committees, as in the counties of Erie, Wayne, Ulster, Clinton and others; but far less is accomplished throughout the State by this agency than might and ought to be.

XIV. *California Prison Commission and Delaware Criminal Reform Association.* A brief paper is inserted giving a summary of work done and results accomplished by the former of these organizations in 1868, and showing that a similar society has been formed in the State of Delaware, which promises to be an efficient worker in the cause of prison discipline and reform.

XV. *The House of Shelter at Detroit.* An institution quite unique in its character, though bearing a resemblance to the Intermediate Prison in the Irish Convict system, has been organized in Detroit, in connection with the Detroit House of Correction, which promises the most gratifying results. This is one of the most important steps in prison discipline ever taken in America. The character and early results of this enterprise are set forth in the account above referred to and herewith submitted.

Last year the plan was inaugurated of procuring from our foreign corresponding members reports on the prisons and prison systems of other countries. The plan was widely approved and commended both at home and abroad. It has been continued and its scope enlarged the present year, as will be seen from the number, variety and richness of the papers contributed from this source, with an enumeration of which we continue our exhibit of the matters contained in this volume.

XVI. *A Paper on Adult Reformatories.* This novel but important topic is treated in a very interesting and instructive manner by the venerable Mr. Commissioner Hill, of England.

XVII. *A Paper on the Agricultural Reformatory Colony of Mettray in France.* This is by Miss Florence Hill, a daughter of the gentleman who contributes the preceding essay, and well qualified for the work by long familiarity with the Colony from personal observation, and by recent correspondence with Mr. Demetz, the illustrious founder and head of the institution.

XVIII. *A Report on the Progress of Penal Science and Prison Discipline in England in* 1868. Sir Walter Crofton lays the Executive Committee under an added obligation by favoring them with this interesting paper.

XIX. *A Review of Reformatory Work in England.* Alfred Aspland, Esq., contributes an exceedingly interesting paper on this very interesting subject. His report covers the work of adult reformation by giving an account of what is done by the Prisoners'

Aid Societies, as well as of juvenile reformation by an account of the reformatory institutions of the country.

XX. *Crime and Criminals, Prisons and Punishment.* A paper furnished by W. D. Sargent, Esq., of Birmingham, a gentleman who has observed closely and thought deeply in reference to the matters which he discusses.

XXI. *The Prisons of France.* Mr. A. Corne, one of our corresponding members in France, favors us with an extended and instructive detail of facts and discussion of principles on the above named subject.

XXII. *Criminal Registers.* Our honored member, Mr. Bonneville de Marsangy, contributes, in this paper, a description of his own remarkable and ingenious invention for detecting and identifying previously convicted felons.

XXIII. *Report on the Prison and Prison System of Russia.* A very able as well as instructive paper on this subject has been received from Count W. Sollohub, director in chief of the house of correction and industry at Moscow. There are features, as will be seen, quite novel in the organization of this prison, and the results attained are as remarkable as they are gratifying.

XXIV. *Boarding pauper Children in Families.* Miss Joanna Margaret Hill here considers the question, how to eradicate the pauper taint from workhouse children, and gives highly interesting details of a visit made by her to eleven homes in the vicinity of Edinburgh, Scotland, where such children had been placed.

XXV. *The Prisons of Denmark.* A brief but interesting communication on this subject has been received from Mr. Kellar, one of the Inspectors of Prisons in the Kingdom of Denmark.

XXVI. *A Letter on the Borough Prison of Liverpool.* This is from the Governor of the prison, and will be found particularly interesting as showing the operation of the Mark (Irish) System in institutions where the sentences are of short duration.

XXVII. *Correspondence.* From the numerous letters received, a selection has been made of those possessing the greatest general interest.

Convict Labor in its Relation to Free Labor.

There is a matter to which the Executive Committee deem it their duty briefly to call the attention of the Legislature; a matter in reference to which very erroneous opinions, or perhaps it would be more correct to say prejudices, exist in the community; prejudices which would become as hurtful as they are unfounded, should they ever unfortunately assert their power in the form of legislation. We

refer to the alleged injustice done to honest mechanics by allowing convicts to produce valuable fabrics by their labor, and so bringing that labor into competition with the labor of free workmen. We had supposed that the day had gone by for such a theory to find supporters and advocates, but it seems that we were mistaken. The excitement on this subject a year ago extended to most if not all parts of the State, and the result was the presentation to the Legislature of numerous petitions against convict labor, and the introduction of a bill under the title of "An act for the better protection of the mechanics of this State, by regulating the use of convict labor in the several State Prisons;" one of the provisions of which was a prohibition of all such labor in the prisons as might compete with the labor of mechanics outside. To the credit of the Legislature the bill was defeated; but this has not put the subject to rest. An agitation of the same kind has commenced this winter; public meetings of workingmen have been held, and the doctrine has been proclaimed that no trades must be taught to convicts in prison.

We do not propose an extended discussion of this question. Indeed, the question itself, it seems to us, is a narrow one, and can be disposed of in a few paragraphs.

The first thought that occurs to us, in reflecting on this subject, is, that the products of labor in prisons, thrown into the general mass of merchandise in the market, interfere with the mechanical and manufacturing interests of free labor about as much as the abstraction of a bucket of water from the Hudson would interfere with the navigation of that river. The whole number of prisoners in all classes of prisons, now engaged in productive labor, in the United States, does not exceed 15,000, and that in a total population of 40,000,000.

Our second remark is, that it is contrary to the principles of a sound political economy, that injury to the general interests of society can by any possibility arise from the circumstance of a number of people being employed in honest industry and in producing useful articles, for which there is a demand in society. Such an idea *must* be founded in error; for if it be wise to maintain prisoners in idleness, or in unproductive labor, like that of the tread-wheel, crank, &c., it must be equally wise (and if not, why not?) to maintain certain other classes of people in idleness; those, for example, who live in a certain street of every town, or whose name begins with a certain letter of the alphabet. It may be said that it is not intended, in forbidding mechanical labor in prisons, to prohibit all productive work; but the logic of the principle goes just there, and nowhere else. For, if handicrafts interfere with mechanics, mining,

quarrying, farming, every form of labor whereby men produce values, would interfere with some class of laborers, and there is no reason why mechanics should enjoy a monopoly of protection in this business. But the principle for which these men contend has even a wider scope than this. Its logical issue — and principles tend to such issue with a certainty and a force inexorable as fate — would be the prohibition of all immigration into the country, since immigrants, on account of their immensely greater number, must interfere incalculably more than prisoners with workers already in the country. Yet we not only permit, but encourage and invite immigrants to our shores, especially skilled workmen. It is also pertinent to remark here, in passing, that one of the strongest arguments used by publicists, in opposition to great standing armies, is the fact that they abstract, to such an enormous extent, from the productive labor of the countries in which they are maintained. But this argument, which has generally been considered decisive as against the policy which it assails, loses all its force, if the theory we are combating is sound and tenable.

Our third remark is, that even supposing it could be shown that some other members of society do lose the profit obtained by prisoners, still it does not follow that the lucrative employment of prisoners does mischief, for whatever others might gain by the cessation of prisoners' labor would be lost by society at large in the additional cost of maintaining the prisoners; so that, after all, the only effect would be to throw upon other persons the labor by which the profit is earned, instead of the labor being performed by prisoners.

Our fourth remark is, that, upon the whole, society is benefited by the production of the greatest possible amount of values that can be obtained from the industry of all her members; so that, if prisoners are to cease working, either society must, through its other members, perform the labor done by them, or be content to be poorer by the amount of profit that might be obtained by that labor. Whether society would perform that labor, or whether the labor, or an amount equal to it, would go unperformed, would depend, probably, on the state of trade at any given time. Three different conditions of things may be supposed here. First, if things were in their normal state; that is, if there were a sufficient amount of profitable labor for all who chose to work—an employer having about as much difficulty in procuring a workman as a workman in procuring an employer—then the work, if not done by prisoners, would probably not be done at all; or, what is the same thing, an equal amount of some other work would go undone. Secondly, if trade were excessively brisk, and there were great difficulty in procuring

workmen, then, not only would the work go altogether unperformed, but a greater inconvenience and injury would arise than the mere abstraction of such an amount of labor from the general industry of the country would, under ordinary circumstances, indicate. Lastly, if trade were excessively dull, and there were great difficulty in procuring employment, the direct benefit to society at large from the labor of prisoners would be trifling, and might be dispensed with just as the labor of any other moderate number of workmen might be spared, the remaining body of workmen being fully able to perform all the labor demanded. But as, in one case, the total amount of profitable labor would not be increased by any cause which disabled a number of free workmen, so, in the other, the amount would not be increased by the idleness of prisoners.

Our fifth remark is, that, if the labor of men *in* prison will be mischievous, their labor *out* of prison must have been equally so. Now, idleness is made matter of constant reproach to criminals, and is thrown up to them as one of the chief causes of their evil ways; and none are louder in their censure of them on this ground than the objectors to prison labor themselves. But if, by engaging in labor, they would have displaced other workers, why regret that they should have been unemployed? and why upbraid them with their laziness? It seems to us that the objectors in question are bound rather to applaud these persons as martyrs to the public good, and as necessary but willing sacrifices on the altar of indolence. Here we may recur to a line of argument employed under another head. If the labor of any class of workers now in the country would be mischievous — and that of prisoners is so, according to the theory under consideration — then the labor of immigrants must be equally mischievous, and, indeed, unspeakably more so, because of their vastly greater number. But do the American people believe this? Is such a view in harmony with the essential and recognized principles of political economy? Can any class of reasoners be found among us, who would dare to promulgate and defend a proposition of this nature? Yet the principle of the proposition is as applicable to free as to imprisoned workmen; that is, in point of fact, it is applicable to neither. Why, then, is the one class assailed, and the other left to go their way in peace? Can it be that it is because the one is under the heel of power, and the other in a position to make their own power felt?

Our sixth remark is, that the policy we are combating is against the general tendency and conviction of the age. In this country, and in all countries, the problem is now keenly studied how prison labor, while used as a reformatory agent, may at the same time be so organized and conducted as to produce the greatest amount of

values, so that criminals may be made to earn their own support while undergoing their sentences, and society be relieved, to that degree, of the burden imposed upon it by their crimes. To such an extent is this true, that a society has been formed in England — the Howard Association — of which Lord Brougham was chief patron while he lived, expressly for the purpose of finding the solution of this problem, and so making British prisons as near self-supporting as possible. Again and again has the Prison Association been asked by this Society for facts and documents, giving such results of experience in American prisons, as might aid them in their work. And shall New York be called upon — much more, shall it exert its great moral power — to set back the dial of time, and block the wheels of human progress? If it should be so invited, we hope and believe that it will spurn to lend itself to a reactionary movement so unreasoning, and involving consequences, as we shall attempt to show under another head, hurtful in a high degree to the best welfare of society.

Our seventh remark is, that it surely cannot be the wish of those who oppose mechanical labor in prisons, that men should be convicted of crime and imprisoned, merely that so much labor may be taken out of the labor market, and that other workers may be benefited to to the extent of doing the work which they are thereby prohibited from doing. But suppose that instead of being convicts condemned to labor within prison walls, the same persons were employed as industrious workmen outside of a prison. Would not the produce of their labor be in the field of competition equally as if they had worked within the prison walls? Would they not indeed have brought a greater amount of values into the market — since prison labor can rarely, if ever, be made as productive as free labor—and thereby have lowered prices to a still greater extent? Would any sane political economist maintain that it is for the interest of society that a portion of its members be kept from work in order that another portion may have more work to do? And is it not equally absurd to contend that society would be benefited by forbidding imprisoned criminals to learn trades, and by their labor add to the valuable products of the country? Does not the same *principle* apply in the one case as in the other? If not, where lies the difference? It would, we think, puzzle any chopper of logic to show how the State is at once benefited by the industry of all her free citizens, and injured by that of the small fraction who have been convicted of crime.

Our eighth remark is, that even if it were proved that the supplies from prison labor did tend to lower prices, that could hardly be

deemed a calamity. If a low price of food be a blessing to the consumer, is not a low price of clothing also a blessing? If it be alleged that competition with prison labor is not fair, because the prison laborer is provided for, we reply by asking by whom and at what cost is he provided for? By the public, surely; and, since the public pay for his lodging, living and apparel, they have an undoubted right to the labor of his hands. What can be fairer, what more beneficial to the general welfare, than that they should enjoy it? The indoor servant gets lower wages than the laborer who finds for himself home and subsistence, and what are convicts but "indoor servants," who live at no charge to themselves, and who are bound to give their services to those who provide for their support?

But our ninth and last remark is much more important and bears more decisively on the question at issue than either of those which have gone before. It is this: work—steady, active, honorable work—is the basis of all good and especially all reformatory systems of prison discipline. It not only aids reformation, but is an essential condition of it. It is by work alone that the mass of men can eat honest bread; and unless prisoners acquire habits of industry, a liking for labor and skill in some handicraft occupation, little hope can be entertained of their conduct after liberation. On the one hand, counsel, persuasion, kind admonition, considerations of interest, even the powerful influences of religion may have been brought to bear with more or less effect upon their mind and heart; or, on the other, with a view to make them dread imprisonment and shun it, they may have been subjected to everything that is humiliating, irksome and painful — the lash, the crank, the treadmill and other torturing but profitless labor-machines; they may even have had created in their minds by the one or the other of these methods the desire and purpose never again to fall into crime; still, unless a prisoner acquire the knowledge of some handicraft, the taste for work, and the habit of steady industry; in other words, unless he gain the *power*, as well as the *wish*, to live honestly, it is all in vain; sooner or later he will give over the struggle and return to criminal courses.

If the reformation of prisoners is important—and this is a proposition conceded by all in our day—it is no less important that they be trained while in prison to the practice and the love of labor. But how is this end to be attained, how are the habit of work and a fondness for it to be imparted, but by associating pleasurable feelings with industry and painful ones with idleness? by cultivating each prisoner's peculiar powers, so that he may follow an occupation for which nature as well as training has fitted him? by accustoming him to the daily performance of an amount of work sufficient when

at large to procure him a comfortable subsistence? and so by giving him to see that he is mastering the great art of self-help and self support? And this object can be accomplished only by teaching convicts trades during their imprisonment.

We ask the Legislature and the public to consider what would be the certain consequence of either keeping our convicted criminals in idleness during their imprisonment or of employing them on labor which produces no values — labor, therefore, which must of necessity be distasteful, repulsive and irksome. In the first place, not a man of them will be reformed, or, if he is, it will be a moral miracle, and such cases will be as rare as white blackbirds. In the second place, our prisons will become, to a far greater extent than they are now or ever have been, schools and hot-beds of vice. In the third place, convicts will leave them with minds soured, feelings embittered, and the spirit of revenge and retaliation rankling in their breasts. Fourthly, they will return to society without either the taste or the ability to engage in useful labors, and even if they possessed both, none would trust, none employ them. Fifthly, necessity, inclination and vindictive hate would alike impel them to enter anew, and with whetted appetite and a demoniac zest, on the business and pursuit of crime. And, finally, the resultant of all would be the multiplication of criminals in a ratio beyond all precedent, spoliations on society to an extent never yet experienced or imagined — in short, a very carnival of wickedness and rascality. Would a moderately increased supply of work to a very moderate number of mechanics — for that is the extent to which it could even be pretended that the prohibition of mechanical labor in our prisons would be advantageous — repay society for the evils that would strike, with such deadly malignity, at all her most vital interests? Would these workmen themselves, so benefited, find a recompense in the few additional dollars as the result of their yearly or monthly earnings, for the constant risk and dread, nay, the almost certain experience of spoliation by the thieves and burglars who would swarm in our cities, and carry dismay into every village and farm-house in the land?

If there is any force in the views and arguments here offered, they draw after them the conclusion that it is wise and expedient to develop and cultivate, to the greatest extent possible, the mental and industrial forces of our imprisoned criminals, and that it would be unwise and inexpedient to raise up barriers against so beneficent a design.

We entreat the present Legislature to turn a deaf ear to all petitions, come from what quarter they may, which ask for restrictions upon the industries of our prisons; and we trust that their officia.

action, in relation to this question, as to all others, may be marked by a liberal and far-reaching statesmanship. It is proved, beyond a peradventure, by prison statistics, that four-fifths of the convicts received into our penal institutions, have never learned a trade; and a large proportion of the one-fifth, who profess to have done so, have but imperfectly accomplished the object. This shows that the want of a trade is a potent occasion of falling into crime, and affords solid ground for the hope that, if the art of self-help is mastered by them during their incarceration, they will no more, on their discharge, return to criminal courses. There are two State prisons in the country — those of Maine and Wisconsin — where every inmate, who remains long enough and has the requisite capacity, is taught a complete trade; and the good effect is seen in the small number of relapses in those States, and the consequent moderate proportion of reconvictions. We cannot but hope, therefore, that the day is not distant when the law of New York, instead of restraining the inmates of its penitentiaries from learning a trade, will make their instruction in all such branches of mechanical labor, as can be advantageously carried on in prison, a matter of positive obligation — we mean to the extent of imparting to them the knowledge of a full trade. Our intimate conviction is, that the material no less than the moral interests of the State will be essentially promoted by such legislation.*

Imprisonment of Witnesses.

The Executive Committee would again respectfully but earnestly call the attention of the Legislature to a subject which has heretofore more than once been by us urged upon the favorable consideration and commended to the just and humane action of your honorable bodies — we mean the imprisoning of witnesses to secure their testimony on the trial of persons charged with crime. The law which permits the imprisonment of witnesses in criminal cases, who are unable to give bonds to appear and testify, is a prolific as well as constant source of hardship and injustice. It is by no means of rare occurrence — cases of the kind have often come to the knowledge of this Association — that persons are confined in our common jails for weeks, and even months, for no other cause than that they happened to witness some criminal act, and being without friends or money, were not able to furnish bonds to appear at the trial. These persons are, for the most part, shut up with those who are either awaiting trial on a charge of crime, or undergoing sentence after

* For some of the thoughts, and even the phraseology of the argument on this question, the writer of the Report is indebted to the work of Mr. Frederick Hill on Crime, and a tractate of Sir John Bowring on the Moral and Pecuniary Results of Prison Labor.

conviction; and they receive no compensation for their loss of time, which not unfrequently entails severe suffering on their families, dependent as they are upon the earnings of their head. The victims of the law in such cases are, of course, the stranger, the poor, the friendless,—persons who have little opportunity to make their grievances known, and of whose hardship the public seldom hear. It often happens, that, in this way, the witnesses of a crime are really the only persons punished for it, since they are imprisoned for a knowledge which they could not help, while the criminal is liberated on bail, and, in the end, is quite likely to escape either by paying a slight fine or with entire immunity. Such things are not consistent with that respect for personal rights which is the theory and general spirit of our institutions. A reform here is imperatively needed. There should be some provision for taking the testimony of those who cannot give bonds to appear. Where this is impracticable, and imprisonment becomes really necessary—a case, we believe, of rare occurrence—adequate compensation should always be made for the loss of time incurred by the incarceration. The United States Government makes compensation in all such cases, and so do some of the States: it is an act of simple justice. In any event, comfortable quarters and reasonably good living should be provided for them, apart from the criminal wards. The State itself often suffers injury in its administration of criminal justice through its practice of imprisoning witnesses. Persons knowing that they will be detained in jail to appear as witnesses, secrete themselves to avoid arrest; and so it not unfrequently happens that criminals fail to be convicted for want of the necessary evidence.

While on this subject, we venture to make a remark or two upon another but kindred topic. Though imprisonment for debt was long ago abolished, we are still too free in awarding imprisonment to persons charged with crime. No doubt the incarceration of innocent men on a charge of crime is often unavoidable, but there should be no needless delay in the trial of causes, during the pending of which any one must be deprived of his liberty. If, to secure the requisite promptitude, it is necessary to have more Courts and Judges, let us have them; if it is necessary to amend our criminal laws, let them be amended. At present there is too much delay even in civil cases, but delay in criminal cases is a far sorer evil. We have become so used to this state of things that we talk of the "law's delay" as a matter of course. But it ought not to be possible for a party to a suit to keep it in court for years, and weary out the less wealthy litigant. Justice is not justice unless it be speedy. Indeed, every man should be able to have it without going far to seek it, without

waiting long to get it, and without paying an exorbitant price in return for it.

Reform of the Prison System of New York.

In our last report we submitted a statement of the provision introduced, at the instance of the Prison Association, into the amended Constitution, which has not yet been submitted to the people of the State, but no doubt will be in the course of the year 1869. The article consists of three sections, and is in the following words:

"Section 1. There shall be a Board of Managers of Prisons, to consist of five persons, to be appointed by the Governor, by and with the advice and consent of the Senate, who shall hold office for ten years, except that the five first appointed shall, in such manner as the Legislature may direct, be so classified that the term of one person so appointed shall expire at the end of each two years during the first ten years; and vacancies in the offices afterward occurring shall be filled in like manner. Such Board shall have the charge and superintendence of the State prisons, and shall possess such powers and perform such duties in respect to the county jails, the local or district penitentiaries, and other penal or reformatory institutions, within the State, as the Legislature may by law impose upon them. Such Board shall, from time to time, elect a secretary, who shall be removable at their pleasure, who shall perform such duties as the Legislature or the Board may prescribe, and shall receive such salary as the Legislature shall determine. The members of the Board shall receive no compensation other than reasonable traveling and other expenses, while engaged in the performance of official duty. And the Legislature, at its first session after the adoption of this Constitution, shall limit the amount of such expenses, which limit shall not be changed except at intervals of five years.

"Sec. 2. Such Board shall appoint the warden (or chief officer), the clerk, physician, and chaplain of each State prison, and shall have power to remove either of such officers for cause only, after opportunity to be heard in his own defense, upon written charges. All other officers of each prison shall be appointed by the warden (or chief officer) thereof, and shall be removable at his pleasure.

"Sec. 3. The Governor may remove either of the managers of prisons for malfeasance or misfeasance in office, after having furnished him with a copy of the charges against him, and giving him an opportunity of being heard in his defense."

We do not venture to pronounce upon the merits of other parts of the amended Constitution, or to say whether they are improvements

or otherwise on the provisions of the fundamental law at present in force; but we think it indisputable that the provision relating to the penal system of the State is an immense advance on any previous legislation relating to the same subject. We beg leave to call attention to a few of the advantages of the system to be introduced, if the new Constitution is adopted.

1. It will take the management of the prisons out of the arena of party politics; at least as far as that is possible in a popular government. The predominating influence of this element is the bane and blight of the present system. It gives us, has always given us, and will continue to give us, incompetent and unfit men as officers in our State prisons. There are fortunate exceptions, but this is the rule. How, indeed, can it be otherwise? The inspectors, who are the governors of the prisons, are nominated by party conventions, elected by party votes, and as a necessary consequence bound to obey party behests. When they come into power, they are tied hand and foot. Their convictions may be sound, and their wishes in accordance with their convictions; but they are not free men. There is a power without greater than the power within. Force of will is subordinated to the force of circumstances. This is the case even when the Inspectors are men of character and principle; but too often they are willing, and indeed eager, instruments of party policy. Appointments to office in the prisons are made, must be made, by favor. Merit is scarcely thought of, or, if it is, it is a secondary consideration. Party claims are alone recognized as valid in the applicant for place. Patronage is at the root of all appointments. The effect of this is to place persons in office who have no education or qualification for it, and when they are turned out, they yield their places to successors who are equally untrained, equally unfit for their positions, and must be educated for the service while in it or not at all; and who leave it on the next turn of the political wheel as their predecessors did, counting only their own gains while incumbents, and not the good of the public or the credit and reputation to be derived from the service. The system now in force, and on which we are animadverting, takes away from the prison official all those motives to fidelity, which in private life are found necessary to insure it. As no degree of merit can secure him in his place, he must be a man of more than Roman virtue who does not act upon the principle of getting all he can out of it, while it remains in his possession. Whatever integrity may be found in prison officers must, therefore, be set down to the credit of inherent and unaided human virtue. In one word, the system created by the existing Constitution renders a high-toned, pure, virtuous service

well nigh an impossibility, and is a standing invitation to venality and peculation.

The article in the new Constitution above cited, if made by the adoption of that instrument a part of the fundamental law of the State, will, we think, apply an effectual remedy to this state of things. It is a reform which is radical in the best sense of that term, and nothing short of a radical reform can cure the evil. It is intended to root out and sweep away the whole system of appointments, whether from political or personal considerations, and to make the efficiency of the public service the sole end in view. Appointment on the ground of qualification, fitness, merit, is its whole aim and scope. For corruption it would substitute purity; for peculation, integrity; for venality, honor; and honest men in the place of plunderers and robbers.

2. The new penal system, provided for in the amended Constitution, will give permanence to the executive administration of our State prisons. Instability in the administration of these institutions has been one of the most formidable and pestilent evils resulting from the control of party politics. By the recent elections, the political character of the Board of Inspectors has been changed. Within a month from the present date, there will, no doubt, be a clean sweep of the present incumbents in each of our State prisons, from the head down to the lowest subordinate. So it ever has been under the present system, and so it will be as long as the system lasts. The party coming into power will be no more to blame for such a course than their predecessors were for doing the same thing, when they assumed the reins two years ago. It is the *system* we complain of, and not the *men* who administer it. The Constitution itself makes the prisons a part of the political machinery of the State; and, until the Constitution is changed, they must continue to be managed, as they are now, in the interest of party. A set of officers is no sooner fairly installed in their places, and made in some degree acquainted with their duties, than the result of an election drives them out, to make way for a new set as ignorant and inexperienced as they were a few months before. The system is utterly faulty and pernicious. No prison can be administered either wisely or economically which is continually subjected to these capricious changes. It is impossible that the best plan of prison discipline which human or even superhuman wisdom could devise, should, under ever-recurring fluctuations of this sort, work out its normal results. It is to be hoped that our new Governor, who is a member of this Board, and who, as one of the State Prison Committee for 1863, is on the record as an earnest opponent of political influence as an element of prison administration,

will take the right position on this question, and will exert his great personal and official influence for the overthrow of a system which could hardly be worse, and the substitution of another more in harmony with the civilization of the age, and more promotive of the material as well as the moral interests of the commonwealth.*

3. The penal and reformatory system created by the new Constitution, if carried out to the extent intended, so as to embrace the industrial school, the truant home, the refuge for juvenile delinquents, the county jail, the district prison or house of correction, and the State prison, would give unity and homogeneousness to this branch of the public service. In any comprehensive reorganization of this service in our State, we consider a central authority, having at least general powers of supervision, absolutely essential. At present, the fundamental principle of all good government — a responsible, but supreme authority — is wanting in relation to our prisons; hundreds of persons, and if we include county boards of supervisors, perhaps thousands, having a direct power in their administration. This single fact affords an ample explanation of the slow progress which has been made in general improvement. The select committee of 1850 on prison discipline, in the British Parliament, took no wiser action than that of adopting a resolution, with a view to securing uniformity in prison construction and management, to the effect that "it is desirable that the Legislature should intrust increased powers to some central authority." Without some such authority, ready at all times for deliberation and action, there can be no consistent and homogeneous system of administration, no well directed experiments, no careful deductions, no establishment of broad principles of prison discipline, nor any skillfully devised plan for carrying such principles into effect. But, if the construction and management of all our prisons were intrusted to a central board or bureau, improvements of every kind could readily be introduced, and that, too, in the safest manner, by first trying the plan proposed on a small scale and under the best circumstances for insuring trustworthy results, and then, if successful, gradually, under the guidance of experience, extending the sphere of its operations. It is material to remark, though the observation would naturally occur to reflecting minds, that a supreme authority, like

* While this report is going through the press, we are able to announce that the hope here expressed has been realized. Gov. Hoffman, who, in other respects, has spoken fitly and wisely on the prison question, holds the following language in his recent Message to the Legislature: "The prison system of this State abounds in evils and errors. Many of these are doubtless due to the fact that the persons appointed to discharge the duties of agents, wardens and keepers, are too often selected from political considerations only, without reference to their capacity and qualifications."

that here proposed, is quite compatible with local boards acting under its direction. But, with or without local boards, a general board, properly constituted and empowered, could find little difficulty in the efficient management and superintendence of the whole system. We ardently hope yet to see all the departments of our preventive, reformatory and punitive institutions molded into one harmonious and effective system; its parts mutually answering to and sustaining each other; the whole animated by the same spirit, aiming at the same objects, and subject to the same central control, yet without the loss of the advantages of voluntary aid and effort where they are attainable.

The excellent results of such a system are attested by experience. A central board of prison managers was created in Canada some eight or ten years ago, and the good effects are seen in every department of the administration. Prison architecture and prison discipline have gained immensely; criminal statistics of the highest value are annually collected and published to the world; and the cost of the county prisons has been reduced to an extent which would hardly be credited. To give a single instance of this reduction: The annual cost of rations for each prisoner in the common jails has been brought down from $89.25 to $32.85, a saving in this item of nearly 300 per cent. The experience of France is equally decisive. In 1856, the State took charge of all the prisons of the country. The result has been the correction of the gravest abuses in every department of the administration, the introduction of excellent and cheap supplies into the prisons, a diminution of expenses by at least one-third, and an almost incredible augmentation of the product of prison labor. The annual product of such labor increased in eight years (so says the Philadelphia Journal of Prison Discipline and Philanthrophy) in all the departments, with the exception of that of Paris, from 14,466 francs to 900,000 francs, an increase of more than 6,000 per cent.

For the reasons thus briefly stated, we cannot but indulge the hope that the new Constitution may receive a majority of the suffrages of our citizens, so that our present prison system, which actually invites abuses of a grave and even scandalous character, may be replaced by one which promises fruits the most beneficent and cheering.

Prison for Young Offenders.

The adoption of the amended Constitution will render necessary the inauguration of a new system of prison administration; but a reform so comprehensive must be introduced with cautious considera-

tion and by slow degrees. In advance of the contemplated change, and especially considering the uncertainty whether the instrument to be submitted to the people will meet their approval and so become the law of the State, this Committee are of the opinion that it would be expedient and desirable to establish at once a new penal institution, of a character to be immediately explained.

As long ago as the latter part of the year 1863, Mr. A. B. Tappen, then a member of the Board of State Prison Inspectors, and now a Judge of the Supreme Court, addressed a communication to the Prison Association, in which he urged the establishment of a new penal institution, to be called a "State Penitentiary," and asked the co-operation of the Association in the effort to induce the Legislature to undertake the enterprise. The Association entered heartily and warmly into the scheme, and, through a committee, prepared and presented a report to that body on the subject. They urged it mainly on two grounds, as the following extract from their report will show:

"Painful as may be the thought, experience tends to the conviction of its truthfulness, that, on the advent of peace from the present national struggle, a large increase in the number of criminals may be looked for, with an urgent demand for larger accommodations than now exist for their custody. It will certainly be the part of wisdom for the Legislature to prepare in time for the anticipated necessity, in order to avoid that very serious and too common evil of prisons—overcrowding.

"The suggestion of the document before us, for the erection of a new '*State Penitentiary*,' appears to us eminently judicious, for the following among other reasons:

"*First.*—It is most likely that a major part of the presumed increase of crime will be of a character too light to justify incarceration in a State prison, and too serious for the mere county jail. The *penitentiary*, with a work-house, is of a grade intermediate between these extremes, and in it, while a lighter ignominy will be attached to the erring ones, greater facilities for their reformation will be afforded than in the State prisons.

"*Second.*—It will present an opportunity for the Empire State to erect and arange a penal institution, furnished with all the modern appliances for the health, the discipline, the labor, the instruction and the reformation of its inmates; in short, an institution which shall be a model of its kind."

The anticipation expressed in the above extract has been since realized in the overcrowded condition of our State prisons, insomuch that two years ago the Legislature authorized the erection of an additional cell-building at Auburn; a measure which the Prison Association opposed, though without success, on the ground that our prisons were already too large for either reformatory or industrial ends. As the building is not completed, it is our conviction still that it would be wise to change its destination and devote it to other purposes. Not to argue this point, however, we proceed to develop the thought that lies at the root of this division of our report.

From one of the documents accompanying this report—a review of the condition and operations of the State prisons of our country for 1867—it appears that the proportion of minors incarcerated in these institutions, taking the average in them all, is over twenty per cent; that in one, it rises to nearly fifty per cent; and that in several others, it exceeds one-fourth of the whole number. This is a state of things well fitted to awaken anxiety and alarm. The tendency in every department of vice and crime seems to be, of late years, *youthward*. Thieves, pickpockets, burglars and indeed every class of criminals average many years younger now than they did a quarter of a century ago; and the same is true of drunkards.

Facts of the kind here stated have turned the thoughts of benevolent and thinking men to the question of instituting separate prisons for those who are too old for reform schools and too young to be shut up with practised offenders without peril of further contamination—prisons where greater attention can be given to education than would be practicable or perhaps desirable in institutions designed for criminals of a more advanced age. The members of this Association sympathize with this view; and we earnestly appeal to the Legislature to give it practical effect in legislation suited to that end. As early as 1822, a committee of the Society for the Prevention of Pauperism in New York, composed of such men as Cadwallader D. Colden, Thomas Eddy, Rev. Dr. James Milnor and Isaac Collins, prepared an elaborate report, in which they argued, with great force of logic as well as beauty of style, the necessity of providing new and separate prisons for youthful transgressors, and insist upon the possibility of securing, as a general rule, the reformation of the young criminal. "These prisons," the committee say, "should be rather schools for instruction than places for punishment like our present State prisons, where the young and the old are confined indiscriminately. The youth confined there should be placed under a course of discipline severe and unchanging, but alike calculated to subdue and conciliate. The wretchedness and misery of the offender should not be the object of the punishment inflicted; the end should be his reformation and future usefulness. Two objects should be attended to: First, regular and constant employment in branches of industry that would enable the convict to attain the future means of livelihood; and secondly, instruction in the elementary branches of education, and the careful inculcation of religious and moral principles. The latter would be vitally important." As regards the expense of such institutions, the committee ask: "Which is the cheapest, to take five hundred juvenile offenders and render the greater part of them honest and useful men, by a new course of punishment, attended

with no extraordinary expense, or to thrust them into our present penitentiaries, with a moral certainty of their coming out with new vices and with fresh desperation—with the moral certainty of their being in prison as a public burden during their whole lives, or of their living, when out, by depredation and knavery?"

This idea, since the date of that report, has widely asserted its force, and has now become the prevailing judgment of those who have thought most deeply and wisely on the subject. Under the pressure of reflections, caused by the growing number of minors confined in the State Prisons of the land (there are at this moment not less than from 3,000 to 4,000 of this class in these institutions), several of the wardens have urged upon their respective States the importance of making special provision for such young offenders, where a more reformatory discipline may be applied to them, and where at all events they will not be exposed to the danger of further contamination by association with old and practised criminals—men who make crime a trade, and who neither have nor think of any other means of living. But no State has yet acted upon this recommendation; none has embodied the idea in legislation. The Prison Association respectfully but earnestly ask the Legislature of New York to take action, during its present session, on this very important matter. The creation of a prison of the kind recommended would afford an opportunity of testing, on a small scale and under the most favorable circumstances, what is now generally known as the Irish System of Prison Discipline; a system which seems fast drawing to itself the suffrages of the civilized world as being the nearest approach to the adequate and successful solution of that great problem of the ages — the treatment of crime and criminals.* We need hardly add — for it will occur to the Legislature as readily as to us — that such an institution, if created at all, should be kept out of the maelstrom of party politics by being placed under the care of a local board of managers, who, like the managers of our hospitals, lunatic asylums and houses of refuge, would serve from motives of philanthropy and without remuneration, other than the consciousness of good accomplished through their benevolent exertions.

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* In reference to this system, the Hon. Gideon Haynes, Warden of the Massachusetts State Prison, a high authority on all questions relating to prison discipline, says: "The Irish system is, without doubt, the most perfect ever yet conceived. It strikes at the root of the evil; it discards the idea that justice should be satisfied, and that the community has fulfilled its responsibility by the confinement and punishment of the convict for a certain period, and letting him loose again without regard being paid to his instruction while in prison, or his welfare after his release. * * * In the Irish system every step taken is in reference to the welfare of the convict when released." *Pictures from Prison Life, p.* 280.]

Provision for Convicts after their Discharge.

It is known to the Legislature and the public, that the Prison Association, from its organization in 1844, has, agreeably to one of the requisitions of its charter, given special attention to the wants of liberated prisoners. No less than 3,982 of this class have been provided with permanent situations, who have thereby been, almost to a man, saved from relapsing into crime, and changed from spoliators of society into honest and industrious citizens, thus contributing to the prosperity of the community instead of preying upon its property and rights.

The question of the disposal of released convicts has long been one of the most vexed and perplexing of those to which the attention of philanthropists and statesmen has been directed. As far back as 1803, in a communication to the Mechanics' Association of New York, when he was Mayor of that city, Edward Livingston, who has been justly named "the father of legal and penitentiary reform in this country," used this language: "It must be evident that nothing will tend so much to defeat the principal object of reformation, and at the same time to endanger the security of the city, as the situation in which those stand at the time of their discharge, who have undergone the sentence of the law. The odium justly attached to the crime is continued to the culprit after he has suffered its penalty. He is restored to society, but prejudice repels him from its bosom. He has acquired the skill and has the inclination to provide honestly for his support. Years of penitence and labor have wiped away his crime, and given him habits of industry and skill to direct them. But no means are provided for their exertion. He has no capital of his own, and that of others will not be intrusted to him. He is not permitted to labor; he dares not beg; and he is forced for subsistence to plunge anew into the same crimes, to suffer the same punishment he has just undergone, or, perhaps, with more caution and address, to escape it. Thus the penitentiary, instead of diminishing, may increase the number of offences."

Accordingly, in the direct line of this thinking, when Mr. Livingston, in 1821, on the invitation of the State, prepared his Code for Louisiana, he provided, in his punitive and reformatory system, a house of detention; a penitentiary; a house of refuge and industry; and a school of reform.

The third of these establishments — the house of refuge and industry — was intended as an asylum for discharged prisoners, where temporary employment, at suitable wages, could be given them, until permanent work should be obtained, or some providential opening should offer for them to begin life anew. The newly

organized House of Shelter, which has been instituted in connection with Mr. Brockway's prison in Detroit, and an account of which is given in one of the papers accompanying this report, is of the same nature. The Rev. Mr. Dyer, in his Impressions of Prison Life in Great Britain, which will be found elsewhere in this document, tells of two industrial homes for released prisoners — one for males, the other for females — in connection with the Wakefield prison, in which temporary work is provided for those who, on their discharge, desire, but cannot immediately obtain, honest employment. Both these establishments he represents as in a prosperous condition and doing much good.

In his essay on adult reformatories, communicated for this report, in which he strongly urges the establishment of industrial homes for liberated convicts, Mr. Commissioner Hill speaks of the female refuge at Golden Bridge, near Dublin, as having "a satisfactory and indeed triumphant history of twelve years," and of the "Carlisle memorial refuge for convict women," established four years ago in London, but now removed to Winchester, as "corroborating the testimony derived from Golden Bridge." The Irish intermediate prisons at Smithfield and Lusk have in part, indeed we may say mainly, the same design. There the problem of the re-absorption of discharged prisoners into virtuous society has had a complete and most successful solution. The difficulty is no longer for released convicts to obtain work, but for employers to secure the labor of such convicts as fast as they want it.

Two of the States of our Union — Massachusetts and New Hampshire — have established agencies and appointed officers to look after discharged convicts and secure employment for them if they desire it — the former in 1845, and the latter some two years ago. Of the New Hampshire agency, the Warden of the State prison says that its influence has already shown itself potent for good, and has more than met the expectations entertained of it.

Of that of Massachusetts, Mr. Haynes says: "We have in our State agency for discharged convicts an element of reformation second only to the Irish system, and far in advance of any plan to be found in either of the other States. I have no hesitation in pronouncing it the most important principle connected with our penal system." Of the necessity for this agency, Mr. Haynes uses this language: "Every thing has changed [he is speaking of the convict's liberation], except the old haunts which he used to frequent, and they have not only become more numerous, but the fascinations with which they are surrounded more attractive, and nine times out of ten, repulsed and shunned by the better part of the community, he can count upon

a cordial welcome only from his old associates. Is it strange, then, if, unaided, he should relapse again into crime? Nothing short of a miracle can save a man under such circumstances. They feel, as they have often told me, as though every person they met knew them, and from whence they came. If they seek for employment at any respectable place or calling, the first question usually asked is, where and for whom they have worked. They must prevaricate or lie, for if they tell the truth, the chances are that they will be repulsed, or if retained, it will be under such peculiar circumstances as to render their situations as unpleasant and disagreeable as possible.

"The first week succeeding a convict's discharge is the most critical period in his life, every thing depending upon the reception and treatment he may receive from those into whose society he falls. It matters not that he may have formed good resolutions, and quits the prison with a determination to carry them into effect; if coldly received or repulsed, they will vanish like mist before the rays of the sun; he sinks again into crime, stilling his conscience with the reflection that he is not to be blamed, that he made an effort in good faith to reform, was willing to labor, but could find no employment, and upon the community, in his opinion, rests the responsibility. And so it does in a great measure."

Of the services of the agent and their great usefulness, Mr. Haynes speaks thus:

"I cannot close without referring to the services and the success which has attended the labors of the State's able and faithful agent. He has been indefatigable in the discharge of his duty, and successful beyond precedent. Not one solitary complaint has ever reached my ear, even from those who have returned to the prison, that they did not receive from him a kind reception, and all the assistance they required. Their failure to do well was invariably owing to their not being able to control their passion for strong drink, that gigantic evil which fills our alms-houses and prisons."

That veteran and eminent prison officer, General Amos Pilsbury, in a recent communication to the secretary of this Association, on the importance and utility of educating imprisoned criminals, after an experience of nearly fifty years, thus declares his opinion on this subject: "All the education they might receive, however, would be of little benefit, unless they can, upon their discharge, be assisted to obtain situations, and encouraged to keep the good resolutions they may have formed. This is the supreme necessity in the work of reforming criminals — this the complement of all other measures. I know of no other so important; and I hope your Association will exert its energies to the utmost in that direction."

In the foregoing detail and citations, the Executive Committee have had a practical object in view. We desire to awaken the interest of your honorable bodies, to impress upon members the vital importance of these views, and to secure such legislation as will be likely to further the end at which we aim — the completion of the reformation of convicts, begun in prison, by aiding them to procure situations on their discharge, and by securing them against falling by providing temporary employment while they are waiting for that which is permanent. We have no doubt that our charter of incorporation, by enjoining upon us "the support and encouragement of reformed convicts after their discharge, by affording them the means of obtaining an honest livelihood and sustaining them in their efforts at reform," authorizes us to found such an asylum, refuge, or industrial home as we have described; nor do we any more doubt that such an institution, when fairly organized and under way, might be made, if managed with integrity and skillful economy, nearly or quite self-supporting. It is for the Legislature to judge whether the object proposed is of sufficient importance to warrant and demand the moderate expenditure required for its accomplishment; and whether, if not, they will add to their customary appropriation a sum sufficient to enable the Association to employ an additional agent who, like those of Massachusetts and New Hampshire, shall devote his whole time and strength to the care of released prisoners, visiting them previous to their discharge, ascertaining their own views and wishes, speaking words of cheer and encouragement to them, corresponding with and seeing employers in all parts of the State, awakening the interest of the public in their welfare and conciliating the regard and favor of the people toward them, watching over and corresponding with them after they are placed, requiring periodical reports from them, and, if possible, securing such reports from those who employ them; in short, seeking by all suitable means to strengthen their good purposes, to hold them up, to prevent a relapse, to restore their manhood and self-respect and win back the respect and confidence of the community, and to accomplish their gradual reabsorption into virtuous society and their restoration to the State, like the prodigal to his father, as a healthful and effective element of its great industrial movements.

The discharged convict is subjected to temptations and trials such as no other class of the community is ever called on to experience, and such as no one not familiar with their exposures and struggles can realize or even comprehend. If he is saved at all, it must be — after having been under the best attainable influences during his imprisonment — through the exertion of kind friends, or through the

efforts of this Association in the ways just indicated, or through some other similar agency, brought to bear upon them immediately on their emergence from the prison walls. The matter resolves itself into this simple question: Are the eight or nine hundred convicts annually discharged from our State prisons, most of whom are young men, worth saving? Shall they be permitted to sink again into crime, without putting forth every practicable effort to rescue them? Shall they be turned adrift, with no friendly hand stretched out for their deliverance, but with a sentiment of revenge rankling in their breast, to prey upon the community? Years of successful spoliation will naturally, in numerous cases, pass before they can be arrested in their criminal career, involving individuals in heavy losses and the public in an amount of taxation incalculably greater than the whole sum required for the purposes herein set forth. The cheapest mode of dealing with criminals is to reform them in all cases where that is practicable; and the cases where it is not, form, we are convinced — provided always, that the appropriate agencies are honestly and faithfully employed — the exception and not the rule. At all events, no proposition can be clearer, none more indisputable, than that the State has not discharged its whole duty to the criminal when it has punished him for his fault; no, nor even when it has reformed him. Its obligation toward him does not cease, when it opens his prison doors and bids him walk forth in freedom. Having raised him up, it has the still further duty to aid in holding him up. Some systematic provision to this end is the essential complement of any effective plan of reformatory discipline. In vain shall we have given the convict an improved mind and heart, in vain shall we have given him capacity for industrial and productive labor, and the desire to advance himself by worthy means, if on his discharge he finds the world in arms against him, with none to trust him, none to meet him kindly, none to give him the opportunity of earning honest bread.

The Prison Association does all it can with the means and appliances at its command; and certainly it has accomplished, as the former part of this report abundantly shows, a great and noble work in this field of labor. But it lacks the means and it lacks the machinery to do all that we believe might be done. In our report for 1862, we called the attention of the Legislature to this subject in these words: "There is more work to be done in our detention and discharged convict departments than one man can possibly accomplish. Our agent is overworked; and although his zeal is boundless and his activity and diligence untiring, he can never fully overtake his work. In fact, there is enough to be done to keep two men con

stantly employed" — with more to the same effect. The rapidly increasing population of our great city makes this more true in 1868 than it was in 1862. Still, we have never been able, from want of funds, to carry out our own views; nor shall we be in the future, unless the Legislature, wisely, as we conceive, no less than generously, furnish us the means by a larger appropriation than has heretofore been made. The subject of an industrial home for discharged prisoners, under the care of the Association, has never before been submitted to the Legislature; but we cannot but regard the project as one of grave importance and hopeful of the best results; and we respectfully ask for it the earnest consideration of your honorable bodies.

Nautical Reform School.

The first suggestion of a Reform School-ship, like that of the abbreviation of criminal sentences as a reward for good conduct, and that of the House of Refuge,* was made, we believe, by a citizen of New York. As early as the year 1812, the venerable John Stanford, D. D., then acting, although almost an octogenarian, as chaplain of the prisons, hospitals and charitable asylums of the city of New York, presented a communication to the city authorities, in which he submitted the outline of a plan for an asylum for vagrant youth, urging "its promising advantages to prevent pauperism and the commission of crime," and adding, that, "since his duties had led him into the penitentiary, a ten-fold weight of conviction had pressed upon him of the importance of a separate place for the reception of vagrant children." He suggested, also, at the same time, in connection with the proposed juvenile asylum upon the land, a sort of naval department. "His plan," says Dr. Pierce, in his interesting work entitled a "Half Century with Juvenile Delinquents," was very simple and practical. He proposed to have navigation taught in the asylum upon the land, and, by masts and rigging, to give a general idea of a sailor's duty. A small vessel, which could be used from time to time, under a proper sailing master, would give the boys that exhibited a predilection for the sea such an opportunity to become sufficiently acquainted with the ordinary requisitions upon a sailor as to render them capable of offering valuable services on board any vessel in the mercantile marine, or United States service."

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*The venerable John Griscom, LL. D., long since gone to his reward, and James W. Gerard, Esq., still living in a green old age, were jointly the authors of that great institution, known as the juvenile reformatory — now one of the most widely employed and effective agencies for the prevention of crime. This matter will be referred to in the Review of Reformatory Work in the United States for 1867 — one of the documents accompanying this report.

"I recommend," he says, "that the greatest attention be paid to raise boys for sea service, the advantages of which will be found to be of the highest value. In proportion as your trade and commerce increase, you require seamen of your own without being indebted to foreigners, and the institution will lend, in this respect, its friendly aid to establish your independence on the water. The youth you have rescued, on whom you have bestowed your kindness, will naturally form an attachment to the interests of the country, and nobly contend for its rights and honors."

Dr. Pierce adds, with truth, that "old Doctor John Stanford was half a century in advance of his times." But when a reform school-ship rides the waves of New York harbor — a sight which we hope soon to see — his wisdom as well as his patriotism will be fully vindicated. It is much to be regretted, however, that this practical vindication still lingers, so far as our own State is concerned. Though a citizen of New York was the first to suggest this important measure, other peoples have preceded us in carrying it out by legislative enactment. England has successfully inaugurated the system, and reform school-ships now constitute a department of her reformatory agencies in behalf of her juvenile delinquents. Massachusetts entered upon the system, as an experiment, ten years ago; but the measure has long since passed the experimental stage, and is now established as a complete success. The ninth Annual Report of the Massachusetts Nautical Reform School has just been issued, from which it appears that the institution is accommodated, since two years ago, in two ships, one of which is stationed in Boston harbor, and the other at New Bedford. The two vessels are capable of receiving 360 boys, and the average number during the last year was 273. The whole number received since the organization of the school is 1,714. Of the 224 discharged in 1868, 93 were shipped in the merchant and whaling service, and five in the U. S. revenue service; that is, nearly one-half chose the sea as a profession, which, we believe, is about the usual proportion. The school-ships have become highly popular with ship-masters and owners, especially those of the better class.

One ship has taken six boys on each of five successive voyages to India — thirty in all. No higher compliment could be paid to the efficiency and utility of this admirable institution. Indeed, the experiment of school-ships in Massachusetts may be pronounced an eminent success, in respect both of its primary purpose of reforming juvenile delinquents, and its secondary purpose of rearing a more intelligent and better class of seamen. Numbers of the graduates (at one time no less than 165) have served in the United States navy — some of them with distinction. What a noble result of the

benevolent labor which, receiving from the criminal courts these neglected, vicious and degraded boys, extends to them the hand of Christian sympathy, shields them for a season from the rough blasts of temptation, teaches them their duty to God and man, imparts to them the principles of a noble science, trains them to skill in the application of those principles, and, finally, opening to them a path of honorable usefulness, bids them go forth and walk therein, to the honor of their God and the benefit of their fellow-men. The very qualities of sagacity and daring, of earnestness and enthusiasm, which, under their former evil training, were rendering them a terror as well as a pest to the community, have, in numerous instances, by the radical change wrought in their principles and habits through the wise and kindly efforts of their teachers, constituted a vigorous impulse to push them forward, and to give them success in their new career of virtue, honor and usefulness.

The Executive Committee have gone into this detail because we regard it as of the highest importance that a similar reformatory agency for juvenile delinquents should be instituted in New York without unnecessary delay. On this subject Commander Luce, of the navy, an officer of high scientific and general culture, expresses himself thus in the *Army and Navy Journal:* "New York would do well to imitate the example of Massachusetts. Why should not her correctional institutions have a nautical branch, to which might be sent those committed for stubborness, idleness, vagrancy and petty larceny, having due regard, of course, to their individual fitness for a nautical life?" Admiral Porter has expressed himself strongly to the same effect, though we are unable to cite his exact words, not having at hand the paper written by him on the subject.

If Boston can fill two reform ships with delinquent boys, New York might readily fill four or five times that number, with equal advantage to the interests of morality and navigation. We cannot too earnestly press upon the members of the Legislature the great importance of prompt and efficient action in reference to this matter.

Conveyance of Convicts to the State Prisons.

The cost of conveying convicts from the place of conviction to prison, and the principle on which it is regulated, are matters of sufficient importance to engage the attention of the Legislature. In New York and most of the States, the officers charged with the conveyance of convicted criminals is the sheriff of the county, and the principle of remuneration is that of a fee or mileage. In Massachusetts and some other of the New England States, simply the actual

cost of conveyance is paid, and the service is performed by the prison authorities. Now, for a comparison of the expenses. From a statement made by the Comptroller, in his report for 1868, it appears that the whole cost of transportation for the last ten years has been $217,264.42, equal to about twenty dollars for each prisoner. From a statement in the last report of the Massachusetts prison, we learn that the average cost of conveyance *per man* is about one dollar and fifty cents. If the service were conducted the same way in New York, and the cost were counted at five dollars a prisoner — a liberal allowance — there would be, one year with another, a saving of say $20,000, an item of sufficient magnitude to claim the serious consideration of the Legislature.

All of which is respectfully submitted:

E. C. WINES, *Cor. Secretary.*

ROOMS OF THE PRISON ASSOCIATION,
38 BIBLE HOUSE, NEW YORK, *December* 31, 1868.

DOCUMENTS

ACCOMPANYING THE

REPORT OF THE EXECUTIVE COMMITTEE.

I. ANNUAL REPORT OF THE TREASURER.

The Prison Association of New York in account with Wm. C. Gilman, Treasurer.

1868.	Dr.	
Dec. 31.	To cash paid for expenses incurred in visiting and inspecting prisons, jails and penitentiaries in the State of New York as required by charter, and for salaries,	$6,291 27
	Relief of discharged prisoners,	1,885 23
	Rent,	1,453 00
	Fuel, stationery, postage and other incidental expenses,	524 37
	Printing and annual report,	461 45
	Library,	94 37
	Expenses, committee on prison architecture,	65 60
1869.		
Jan. 2.	Balance to new account,	537 72
		$11,313 01

1868.	Cr.	
Jan. 2.	By balance from old account,	$1,390 01
Dec. 31.	Donations received during the year,	4,300 00
	Appropriation from State of New York,	4,000 00
	Interest,	612 00
	Loans returned by discharged prisoners,	11 03
	Money borrowed,	1,000 00
		$11,313 01
1869.		
Jan. 2.	By balance from old account,	$537 72

WM. C. GILMAN, *Treasurer.*

January 8, 1869.

II. DONATIONS FOR 1868.

J. H. Abeel	$25	James C. Holden	$25
John T. Adams	5	Joseph Howland	50
Jos. W. Alsop	10	Wilson G. Hunt	10
Geo. B. Archer	100	James Hunter	20
E. M. Archibald	3	Richard Irvin	20
Arnold, Constable & Co.	10	Adrian Iselin	25
Wm. H. Aspinwall	100	Morris K. Jesup	50
J. J. Astor, Jr.	50	John Taylor Johnston	100
W. W. Astor	25	Edward Jones	25
Jacob Badger	10	W. R. T. Jones	5
Isaac Bell	25	James Lenox	200
B. Blanco	15	A. A. Low & Bros.	50
Wm. A. Booth	25	James Marsh	5
Wm. T. Booth	50	Mercantile Mutual Ins. Co.	20
Robert Bowne	5	Thomas D. Middleton	10
Cephas Brainerd	10	E. L. Milhau	5
James Brown	100	W. H. H. Moore	25
James M. Brown	25	Henry Morgan	10
Stewart Brown	50	Henry T. Morgan	25
William Allen Butler	10	Wm. F. Mott	10
Stephen Cambreleng	5	O. D. Munn	10
Robert Carter	20	Murray Fund	25
William F. Cary	25	Naylor & Co.	25
John Caswell	25	Charles Newcomb	5
Hull Clark	15	Adam Norrie	100
Edmund Coffin	25	Oelrichs & Co.	10
Stacy B. Collins	20	Thomas W. Olcott	50
Erastus Corning	50	David Olyphant	25
H. K. Corning	100	William Oothout	20
Samuel Coulter	10	George Opdyke	10
James Cruikshank	5	Thomas Owen	25
Robert Dillon	10	Pacific Mutual Ins. Co.	25
Wm. E. Dodge, Jr.	25	Ramon Palanca	10
Robert L. Dugdale	15	John E. Parsons	10
Wm. M. Evarts	10	Passavant & Co.	5
Elizabeth Farnsworth	10	Paton & Co.	25
French Consul General	5	Pavenstedt & Co.	10
Jas. W. Gerard	25	D. Perkins & Co.	5
Wm. C. Gilman	25	L. Perkins	10
Winthrop S. Gilman	100	George D. Phelps	50
R. R. Graves & Co.	10	H. F. Phinney	25
James P. Harper	5	Pierson & Co.	5
Allan Hay	10	Poppenhusen & Konig	10
William Hegeman	10	Howard Potter	25
Hendricks Brothers	10	Thomas J. Powers	15
R. Hoe & Co.	10	Wm. C. Rhinelander	50

Guy Richards	$25
A. Rodewald	5
Charles H. Rogers	5
D. B. St. John Roosa	5
Roosevelt & Son	100
A. Rusch & Co.	5
E. T. Ryder	5
Adam T. Sackett	50
Joseph Sampson	100
Henry M. Schieffelin	25
James L. Schieffelin	25
Sydney A. Schieffelin	5
J. R. Schuyler	10
Mr. & Mrs. J. F. Sheafe	100
Elliott F. Shepard	25
C. H. Shipman	100
Samuel T. Skidmore	5
E. H. Smith	5
U. J. Smith	10
B. L. Solomon & Son	10
Mrs. C. L. Spencer	100
Stamford Manufacturing Co.	10
Mrs. H. H. Starr	10
James Stokes	100
R. L. & A. Stuart	50
Jonathan Sturges	100
Sun Mutual Ins. Co.	25
Chas. N. Talbot	$25
William H. Talcott	10
J. Nelson Tappan	10
H. S. Terbell	50
John T. Terry	25
James H. Titus	10
Sinclair Tousey	25
William Tracy	5
George T. Trimble	20
Alexander Van Rensselaer	25
John G. Vose	25
Miss Isabella Wallace	20
A. R. Walsh	5
George C. Ward	100
B. F. Wheelwright	10
Weston & Gray	100
Augustus Wiggin	10
Samuel Willetts	100
Wilmerding, Hoguet & Co.	10
E. C. Wines	10
John David Wolfe	100
E. J. Woolsey	50
Henry Young	25
Anonymous	5
Anonymous	2
Total donations	$4,300

III. ANNUAL REPORT OF THE GENERAL AGENT.

OFFICE PRISON ASSOCIATION,
12 CENTRE ST., NEW YORK, *January* 1, 1869.

To the Executive Committee:

GENTLEMEN: With sincere expressions of gratitude to Almighty God for his continued favors toward the Association, and the gracious interposition of his Spirit and providence, which has so manifestly succeeded my humble labors during the past year, I respectfully submit this my fifteenth annual report. May the sincerity of my thanksgiving be more than ever shown by an untiring devotion to this "work of faith and labor of love."

I respectfully submit the following statistics from the report of the Commissioners of Public Charities and Correction, kindly furnished by Captain Coulter, warden of the City Detention Prison, which will afford some idea of the extent and importance of the work in which the Association has been actively engaged during the last twenty-four years.

TABLE A.

Showing whole number of commitments to Prisons under care of the Board of Public Charities and Correction, in the City of New York, for the year 1868.

White males,	28,031
White females,	17,244
Black males,	704
Black females,	497
Total,	46,476

TABLE B.

Showing for what offences committed.

	Males.	Females.	Total.
Abandonment,	123	...	123
Abduction,	4	...	4
Arson,	15	4	19
Assault,	64	12	76
Assault and battery,	2,295	526	2,821
do felonious,	244	33	277
Attempt at burglary,	23	....	23
Attempt at grand larceny,	31	7	38
Bastardy,	63	....	63
Bigamy,	8	....	8
Burglary,	415	....	415
Conspiracy,	8	2	10
Contempt of Court,	1	....	1
Delirium tremens,	50	35	85
Disorderly conduct,	8,138	7,195	15,333

	Males.	Females.	Total
Embezzlement,	69	....	69
Escape from prison,	4	4	8
Felony,	235	24	259
Felonious assault,	20	2	22
Forgery,	95	3	98
Fleeing from justice,	12	....	12
Gambling,	47	....	47
Grand larceny,	1,166	304	1,470
Homicide,	51	5	56
Illegal voting,	47	....	47
Indecent assault,	15	....	15
Indecent exposure of person,	10	....	10
Insanity,	349	228	577
Intoxication,	9,278	7,140	16,418
Juvenile delinquents,	187	34	221
Keeping disorderly-houses,	38	35	73
Larceny,	53	18	71
Larceny from the person,	31	23	54
Lodgers,	53	....	53
Malicious mischief,	13	32	43
Mayhem,	12	....	12
Misdemeanor,	999	98	1,097
Obtaining goods by false pretenses,	148	6	154
Petit larceny,	2,338	989	3,327
Receiving stolen goods,	85	18	103
Rape,	37	....	37
Robbery,	52	1	53
Seduction,	4	....	4
Sodomy,	2	....	2
Vagrancy,	1,313	794	2,107
Violation of corporation ordinances,	134	34	168
Total,	28,735	17,741	46,476

TABLE C.

Showing the nativity of the prisoners.

	Males.	Females.	Total.
Ireland,	11,897	8,576	20,473
United States,	11,718	6,091	17,809
Germany,	3,022	2,139	5,161
England,	803	598	1,401
France,	290	56	346
Scotland,	215	169	384
Canada,	289	47	336
Italy,	154	51	205
West Indies,	61	8	75
Prussia,	44	1	45
Austria,	31	5	36
China,	16	....	16
Sweden,	47	....	47
Norway,	32	....	32
Switzerland,	10	....	10
Wales,	15	....	15
Spain,	34	....	34
Russia,	25	....	25
South America,	20	....	20
Mexico,	6	....	6
Total,	28,735	17,741	46,476
Number received who were of native birth,	11,718	6,091	17,809
Number received who were of foreign birth,	17,017	11,650	28,667
Total,	28,735	17,741	46,476

TABLE D.

Showing social relations, moral habits and education of the prisoners.

SOCIAL RELATIONS.	Males.	Females.	Total.
Number received who were married,	9,495	5,548	15,043
Number received who were single,	16,969	10,860	27,829
Number who were widowed,	2,186	1,270	3,456
Number received whose social relations were unknown,	85	63	148
	28,735	17,741	46,476
HABITS OF SOCIAL LIFE.			
Number received who were of temperate habits,	11,887	5,164	17,051
Number received who were of intemperate habits,	16,848	12,577	29,425
	28,735	17,741	46,476
EDUCATION.			
Number received who could not read,	1,591	1,387	2,978
Number received who could read only,	6,073	7,566	13,639
Number received who could read and write,	20,225	8,619	28,844
Number received who were well educated,	761	106	867
Number received whose degree of education was unknown,	85	63	148
	28,735	17,741	46,476

TABLE E.

Showing the ages of the prisoners received in 1868.

Ages.	Males.	Females.	Total.
Under 15 years,	1,872	325	2,197
From 15 to 20 years,	3,420	1,927	5,347
From 20 to 25 years,	3,915	3,215	7,130
From 25 to 30 years,	5,764	4,996	10,760
From 30 to 35 years,	5,113	2,751	7,864
From 35 to 40 years,	3,274	1,897	5,171
From 40 to 45 years,	2,827	929	3,756
From 45 to 50 years,	954	681	1,635
From 50 to 55 years,	716	412	1,128
From 55 to 60 years,	569	361	930
From 60 to 65 years,	201	163	364
From 65 to 70 years,	62	65	127
Over 70 years,	48	19	67
Total,	28,735	17,741	46,476

It is obvious to remark what a fearful picture these figures exhibit! 46,476 men, women and children arrested in this city of New York alone, charged with some vicious or criminal offence! This vast crowd, with but few exceptions, had been diverted from the right paths, and very many of them had perpetrated crimes which were as disgraceful to themselves as they were injurious to the community.

The enormous evils caused by those 46,476 worse than insane people, cannot be grasped by the most vigorous and comprehensive intellect, as every individual transgression exerts a prejudicial influence on the transgressor himself and on others, both in body and soul, for time and eternity. And all this disorder exists in the presence of a

large police force, and in the midst of prisons, criminal courts, public schools, institutions of learning, churches of every denomination, mission schools and other recognized useful agencies and instrumentalities. That there is something wrong somewhere must be conceded, and common sense suggests that it would be time well spent, for the tax payers of this great city and all great cities to ascertain where the wrong really lies; and, having found the source of the evil, they might well give their prompt attention to the discovery and application of the appropriate remedies. Nearly two-thirds of the whole number admitted themselves to be of intemperate habits, and no doubt the greater part of the remaining third might be justly classed in the same category. More than a third were committed for intoxication, and the number of committals for this cause would have been much greater but for the salutary effect of the excise law. Three thousand admitted that they could not read, and, of those who claimed to be able to do so, the great majority cannot read with sufficient ease to derive either entertainment or instruction from the exercise. No less than 7,544 of the persons arrested were under 20 years of age; and of this number 2,197 were less than 15, while 127 had passed the age of 65, and of these 67 were more than 70.

Such an exhibition is enough to make the heart sick. What cure can be devised for these enormous and terrific evils of ignorance, intemperance, youthful delinquency and female crime? How can the ignorant be compelled to learn? How can the swelling tide of intemperance be stayed in its desolating course? How can the criminal propensities of childhood and womanhood be arrested and held in check? These are questions of gravest import. They are problems, whose solution will task to the utmost the combined wisdom of the patriot, the statesman, the philanthropist and the christian.

The following cases, selected out of many hundreds of like character, will afford a general idea of the nature of our every-day work, as also of its importance and utility:

Detention Cases.

No. 1—Some seventeen dilapidated women "all tattered and torn," called at the office of the Association to-day, discharged from our various penal institutions. Cold and hungry, they earnestly beg to be sent to one or other of the homes provided for the destitute in our city. We comply with their request as intelligently and as far as we are able; but, how difficult is this department of our labor. We seldom send any empty away; even the most intemperate and fallen are commonly aided to some extent.

No. 2 — A boy, aged eleven years, was indicted for grand larceny. He was brought up to plead. He had been employed at a club house, where he was induced by two older boys to break open a tin box and abstract $104. He then, accompanied by the other lads, left the house, and, within a few hours, they had spent of said amount $40. An officer was soon on their track, and, with one of the others, he was arrested. At the examination, he acknowledged that he was alone when the larceny was perpetrated; consequently, the other boy was discharged. We ascertained that the parents of this little urchin were persons of high moral character, and that they were distracted on hearing of his dishonesty. The child was not conscious of the greatness of his offence. We had an interview with the complainant, who felt much sympathy and showed good common sense. He felt a desire that the little fellow should be released, and for this, among other reasons, that it was his first offence, and that, from the lesson he had received, he believed he would never transgress again. These considerations were submitted, by the agent of the Association, to the court, with a guarantee that the $40 spent by the boys should be paid by the parent to the complainant. An application was then made that the judgment of the court be suspended and the youthful prisoner discharged. The court acquiesced, and he was restored to his distracted parents, who heartily thanked the Association for their friendly interposition.

No. 3 — A boy, aged 15, was brought into court of general sessions, indicted, with others, for grand larceny. His aunt, from Pennsylvania, had called at our office, praying us to influence the presiding judge to suspend the judgment and discharge him, in which case, she would have him conveyed to her home, where the boiler-making business would be taught him. There he had two brothers, each earning from $15 to $20 per week, and the prisoner in a few years might be equally prosperous. We engaged to investigate the affair, and, if the result justified our interposition in his behalf, we would aid him. We lost no time in seeing the youthful prisoner. From conversation with him, we regarded him as a precocious bad boy. We, however, carefully examined the papers, when our fears were confirmed. This youth had been the leader of a gang of wicked boys; some twelve overcoats had been found with this dangerous tribe. This boy had two of them in his possession. We felt that nothing could be said in his behalf; we gave the court all the information gleaned in reference to this young thief, when Judge Russell promptly and properly sent him to the House of Refuge; there, we trust, he will improve, and finally become a good and useful man.

No. 4 — In company with an accomplice, had stolen from a boarding house an overcoat, worth $50, belonging to a gentleman staying there. As soon as he discovered his loss, he offered a reward of $30 for the recovery of the stolen property. No. 4 saw the advertisement in the papers, and felt anxious that the overcoat should be restored, especially as it was pledged for the trifling sum of ten dollars. He proposed to his companion that the ticket should be sent to the owner. To this proposition the latter objected, when No. 4 called at the house from which the coat had been stolen, and expressed a desire to see the gentleman to whom it belonged. He was from home; the man promised to call again. As he was leaving the house he was followed by another gentleman boarding there, who called a police officer and caused his arrest. After remaining in custody more than three weeks, these facts, which had been ascertained by your agent, were submitted to the court, when the presiding judge ordered his discharge.

He subsequently called at the office of the Association, acknowledged the wrong which he had, with a worse man than himself, perpetrated, but he had endeavored to influence his accomplice to send the pawn-ticket to the owner, that the coat might be recovered. This act was commendable; we consequently felt encouraged to aid him on his way home to his friends. A more thankful man we have not seen for many a day; we are inclined to hope he will steal no more.

No. 5 — An inmate of one of our Detention Prisons, attracts our attention. He was arrested on charge of stealing a piece of cloth from a case of goods at a freight depot. We heard the prisoner's story, and thought there were grave doubts of his guilt. On the preliminary examination there was not an item of evidence against him, except that of a private detective, and this being uncorroborated, the complaint was dismissed and the prisoner discharged. The final disposition of the case was to us exceedingly gratifying, as we confidently believed he had no participation in the larceny. The accused has a wife and five children. He has been nearly ruined by this arrest, loss of employment, and loss of health; and his helpless family might have perished had not the Association alleviated their abject distresses during the inclement weather. In this case we cannot divest ourselves of the conviction, that, if these parties who caused this poor man's arrest and subsequent losses and sufferings were influenced by principles of humanity and honor, they would have promptly stepped forward and liberally remunerated him and his suffering family for the irreparable injury they had inflicted on them. Alas! how true it is, that

"Man's inhumanity to man
Makes countless thousands mourn."

It is nearly a year since the facts detailed above happened. The poor man has been employed probably but half that period; his health and nervous system have suffered; his helpless children have often cried for bread, and his wife's death is likely to be accelerated by an accumulation of mental and physical trials and privations, the result of her husband's unjustifiable arrest. Truly, a day of judgment seems necessary, that the innocency of the innocent may be made manifest, and the guilty and the oppressor reap that which they have sowed.

No. 6 — Was visited in prison; this was his story: He had been down town seeking employment; on his return home, he saw a man with a chest of tea on his shoulder. This might not have attracted his attention, for the man was unknown to him; but there was a person in rear of him, whom he suspected to be a thief. He followed them until an officer stopped the man with the tea, when the other in the rear suddenly disappeared.

The officer conveyed the man to the station house. No. 6 saw all these movements, when he resolved, if possible, to find the house from which the chest of tea had been stolen. He went to several dealers and brokers, and at length succeeded in finding the owner. He told him what he had seen, and, being out of work and money, he promised, on receipt of one dollar, to show him where the tea could be found. The offer was refused, an officer was called, and he was placed under arrest. After being in prison some days, we ascertained his reputation to be good, the facts were submitted to the court, and the presiding judge consented to discharge him.

No. 7 — Was seen by the agent of the Association in one of our city Detention Prisons; he was charged with burglary, 1st degree. The case in all its details was thoroughly investigated, and our impression was *that the man was not guilty.*

The complainant testified, that, after he had closed his store, retired to his bed-room, and was nearly undressed, he heard a noise, as though some one from the street was making an effort to break into his store. He hurried down stairs, opened the front door and saw No. 7 at one of his windows; he knew him well, gave chase, but could not overtake him; he lost sight of him when near his (the burglar's) own dwelling; complainant returned to his store and put on his clothes and shoes, intending to watch his property, when he again heard a similar noise at his window; he started out and found the same identical No. 7 making a more vigorous effort to break in; he followed him again, and, although complainant is a much younger man than the alleged burglar, he again failed to overtake him, and,

when the chase closed, No. 7 had reached his home in safety. Such testimony induced the police justice to commit the accused for trial, and the grand jury to find a true bill against him.

The prisoner steadfastly protested his innocence, and we were led, irresistibly, to the same conclusion, as there seemed to be about his story something of the omnipotence of truth.

The alleged attempt was made on December the 20th. No. 7 purchased some trifling article at the store next morning, Saturday 21st. On Sunday morning, the 22d, his wife being unwell, he went and procured some liquor for her relief, on neither of which occasions was a word said about the attempted burglary. Not until the 27th, was No. 7 arrested. He remained in custody from that day until the 2d of April, 1868, four months, when the case was placed on the court calendar for trial, and postponed until the 3d.

We had waited on the district attorney several times in behalf of this prisoner; these facts were urged: first, we believed him not guilty; second, his employers wrote us that he had worked for them, more or less, the last fourteen years, they knew nothing against him, and that his reputation was fair and good; he was never known to commit a dishonest act; third, his wife and helpless family, after his arrest, were unable to pay rent, and, after selling all their little house furniture, sought shelter in the poor-house. When the day of trial came, the case was dropped and the prisoner released.

Truly, "the tender mercies of the wicked are cruel."

No. 8—Was seen by the agent, in one of our city Detention Prisons, awaiting trial on an indictment for grand larceny, under the following circumstances:

He is an expert at his trade, and has been employed by the best shops. Business being dull, after Christmas, he was thrown out of work. The weather being very inclement, the sufferings of his wife and helpless family, consisting of six children, their ages varying from eight months to ten years, were intensely severe. For a period of nine weeks, not a job even could be had. Reluctant to make their wants known, they were compelled to hear their children often cry for bread. In a paroxysm of almost madness, he told his family he could endure it no longer. He would go out once more and seek the means to provide bread for his starving children, or would return no more. He called at seventeen stores, inquiring earnestly for employment, the replies were no, no, no. He became frenzied, when, in the act of leaving the last store, he grabbed up property valued at $70, and walked toward the door. His conduct was witnessed by the employes; he was stopped; an officer was called and the man was arrested.

The agent bestowed much time and care in the investigation of this case. Not only was the family visited, but persons were seen who had known them for years, and they unanimously assured us that the man had previously lived a life of honest industry, that this was his first offence, and but for their trying condition would not have been attempted. The result of our inquiries justified us in making an application to his Honor the Recorder in behalf of the prisoner. All the facts were submitted without exaggeration, when judgment was suspended and the prisoner was discharged. We need not add that the poor man seemed to feel very thankful for the timely aid rendered him by the Association.

Pecuniary assistance was cheerfully given to his family. He subsequently obtained employment; the family were rescued from threatened desolation, and we have strong confidence that he will in the future avoid a repetition of such troubles.

No. 9—Was arrested on charge of burglary, breaking into a Catholic church, of which he was a member. We saw and conversed several times with the prisoner, and were persuaded that he was not guilty. Your agent ascertained by whom he had been employed. He was seen, with several other respectable persons who had known him favorably for some years. The result influenced us to wait on the District Attorney, to whom the above facts were submitted, and an early trial was urged.

After the lapse of several weeks he was brought into court to plead to the indictment; his plea was "not guilty." A day was fixed for his trial; it came; the court assigned him counsel; the testimony showed that he was found in the rear of the church, where he had sought shelter during a storm of hail, rain and snow; nothing was found on him to indicate that he had a felonious intent; not a single burglarious instrument; not a suspicion even could be attached to him. Several persons introduced by the agent were invited to speak as to his general reputation. The District Attorney, under the circumstances, would not ask a conviction. His Honor the Judge charged the jury fairly, putting on the prisoner's conduct a charitable and liberal construction, when he was acquitted and discharged. We could not regret the pains bestowed on this case, but rejoiced at the result, as we felt sure that an innocent man had found deliverance.

No. 10—A man of decent appearance was seen in one of our City Detention Prisons, who stood convicted of an assault on his shopmate. They had quarrelled, when blows ensued, and he was arrested and tried. Although it was conceded that great provocation had been given, the court imposed a fine of fifty dollars. We ascertained

that this man had a wife and large family to support; that he had no means to pay such a fine, and that, if held for the fifty dollars, the family would be inevitably ruined.

These facts were presented by the agent to the judge, and an appeal made for the remission of the fine. The court acquiesced, when the prisoner was discharged and restored to his family.

No. 11—Was arrested on complaint of his employer, who charged him with stealing from him about sixty-five dollars. He was induced to plead guilty to an attempt, when the complainant, believing him to be penitent and sensibly alive to the enormity of his crime, begged the court to show him mercy.

His Honor the Recorder, with his characteristic benevolence, suspended the judgment and discharged him.

The Association enabled him to redeem his clothing and return to his family in an adjoining State; he appeared to feel very thankful for the timely aid afforded him.

No. 12—A physician, residing in this city, writes to the Association, that the family of this man are very sick with a contagious fever; that one of the children is past recovery, and it appears desirable and humane that the father should be bailed out and restored to them. The agent of the Association examined the papers against him and found the complaint against him to be very diminutive. The committing magistrate was seen, and the facts submitted with the doctor's note, when his discharge was immediately procured.

No. 13—Was arraigned on an indictment for an alleged felonious assault and battery. He pleaded not guilty. At this moment he was surrendered by his bail, when he was placed, by an officer, with the prisoners to be conveyed to the Tombs. He felt angrily disposed, having, as he represented, paid him already thirty-five dollars in addition to counsel's fees. He felt that he had been completely sold.

There is a large class of these unprincipled fellows prowling around our police courts, who become bail for those accused of crime for a consideration; after a few hours or at most a few days, they surrender them. Surely they should be compelled to return the money so obtained, or be liable to prosecution for obtaining money under false pretenses.

The above instances will convey some idea of the object and aim of the Association with the results achieved. The cases cited are taken almost at random, from hundreds recorded in your agent's diary. For the fifteen years that I have acted as agent of the Association, it has been a steady and growing conviction in my mind that our work—whether viewed in reference to those who are await-

ing trial, or to those who, having served out their terms of sentence, have been discharged and have the world (so to speak) to begin anew — is a necessary, humane, good, scriptural work; and that it is a work which, when intelligently and faithfully prosecuted, is eminently calculated to reclaim the erring, to raise the fallen, and to save men from the repetition of crime and its consequent disgrace and suffering. The young whose habits are not yet fixed upon them, the innocent (for there are such) who have been wrongfully accused, the penitent who sincerely grieve over their wrong-doing, the friendless who have none to help them and are utterly unable to help themselves, the foreigner who knows neither our laws nor our language, and the sailor whose impulsive nature and reckless habits often bring him into difficulty when little real blame attaches to his conduct; all these classes receive continual attention at your agent's hands. Here is the field on which much of his labor is bestowed, and where the best fruits are gathered; bitter tears are dried; motives to a better life are brought into effective operation; genuine reformations are accomplished; property is saved from spoliation; taxes are diminished; and the sum of human virtue and happiness is increased. From numbers of those who have been saved through our instrumentality, in all parts of the country, we are in receipt of letters of thrilling interest, showing clearly that the writers have "ceased to do evil and learned to do well."

In relation to those of our prisons which are under the commissioners of public charities and correction, we are glad to be able to say that they are in a much cleaner and healthier condition than others.

An excellent rule has been adopted by these local authorities to relieve the Tombs or city prison. They have ordered that but one person shall occupy a cell. This step will prevent evil communications; it is a step well taken, and will be productive of very great benefit to the prisoners, for which I feel personally thankful to that honorable board.

Discharged Convict Cases.

I need not remind the committee that this branch of our work is not the least important of our labors, for if there is one class of our unfortunate fellow men that need our sympathy and aid more than another, it is the discharged convict, just thrown once more on the world, from his narrow cell, to meet its temptations, its trials, and too often its chilling and cruel rebuffs. This is a momentous period in his life. At this moment, especially, he needs a friend to advise with. Let kind looks and kind words meet him now; introduce

him to employment: be his friend in this time of peculiar need; and, under God, you save him. But, let the opportunity pass by unimproved, and the man may be lost for time and eternity.

The following cases, selected from our diary, are respectfully submitted as a specimen of what is done in this department of labor:

No. 1 — Was arrested, tried and convicted of manslaughter in the first degree, before Hon. Justice Emott, in the Court of Oyer and Terminer, and sentenced for the term of fourteen years and six months to the State prison at Sing Sing.

He worked in cabinet shop, and by uniform good conduct his sentence was reduced three years and seven months; hence he faithfully served the State ten years and nine months.

When discharged, he received four dollars from the State, and thirty-five dollars for over-work.

Since his release, he has been sick and unable to labor. All his money being gone, he applied to your agent. He desired to reach the residence of his friends, where he confidently hoped to secure light employment, or his friends, having abundant means, would send him west.

He seemed resolved to live a sober, honest life. The Association furnished him the means to reach the place mentioned by him.

He appeared very thankful.

No. 2 — A poor distressed woman calls at our office and represents that her husband has been arrested and sent to the Island work-house, in default of $300 bail, for alleged disorderly conduct. She also assures us that it was his first offence.

She prays the Association to influence the authorities to discharge him to save his little family from threatened desolation. The truth of her statement was confirmed by the man's employers; prompt application was made to the commissioners and the committing magistrate, and he was restored to his family and employment.

No. 3 — A Swede had, when partially intoxicated, been induced by some "fellows of the baser sort" to vote illegally, at one of the polling places, at the last election (1867) in this city. He was challenged, arrested, tried, convicted, and sentenced for one month to the penitentiary.

He called on the agent when discharged (at the suggestion of his keeper) to ask advice and pecuniary aid.

His conduct was severely censured and reprobated. He evinced and promised to offend no more. He was aided and sent to his friends.

No. 4 — Was, on his own confession (when brought to court to plead to the indictment), convicted of forgery in the fourth degree.

His previous conduct and general reputation had been good. This was shown to be the case by persons of known respectability; consequently, the court showed him great mercy.

He was sentenced to the penitentiary for one year; when discharged, he called on the Association to thank them for past favors, and to ask some pecuniary aid (he being without a penny), that he might reach his friends in a neighboring State. The request was complied with; suitable clothing and sufficient means were afforded him to rejoin his friends. We have strong hopes that we shall hear a good report of him.

No. 5 — Was convicted, on very slight evidence, of petit larceny. He assures us, now that he has served a term of one month, that he was not guilty of the alleged offence. He hopes, in the future, to work diligently at his trade, and studiously avoid the company he formerly kept. He was aided with clothing and money, and is now doing well.

No. 6 — Aged 19, was arraigned in court to plead to an indictment charging him with having forged an order for goods to the amount of $30. He plead guilty, and threw himself on the mercy of the court. He was sentenced for two years to the penitentiary. He now calls at our office and represents that he came from the country seeking employment. He was unsuccessful; and, worse than that, at a low lodging-house in Pearl street, he fell among sharpers and thieves. He hopes to derive some benefit from his late suffering and punishment; he trusts his parents and friends know nothing of his degradation; this day he resolves to abstain from the very appearance of evil, and prays that moral strength may be given him that in the future he may prove a blessing to his christian family.

Suitable clothing and the means to reach the country, where his friends reside, were cheerfully given him. He expressed his grateful thanks for the aid afforded.

No. 7 — Was tried in the court of special session, convicted, and sentenced to the penitentiary for two months, where he worked hard in the quarry. He pledges himself never in the future to keep company with lawless and bad men. Had any person told him three months since that he would be found in the society of dishonest, indolent and intemperate fellows, and that such associations would involve him in trouble, and consign him to the penitentiary, he should have replied: "Is thy servant a dog, that he will do such things? no, never." But here he finds himself in ruin; he, however, is not without hope that a useful and salutary lesson has been taught him, which he will not easily forget.

He was provided with suitable clothing, and the means to reach his former employment, away from the city. He assures us the helping hand held out in the hour of his greatest necessity shall constrain him to act with uniform propriety during his future life.

No. 8 — A very superior looking, middle-aged man reluctantly calls at our office, and says, that he is utterly ashamed of himself, and most gladly would he travel, by land or by sea, to the remotest parts of the earth, could he there get away from conscious guilt.

He had served one month in the penitentiary for petit larceny. He wept like a child, that under a temporary hallucination he should have disgraced himself. He now feels his humiliation, but resolves to avoid the destructive paths which have well nigh ruined him for both time and eternity.

Suitable garments and pecuniary aid were cheerfully given him, by which he was enabled to reach his family.

No. 9 — Calls at the office of the Association. He was tried and convicted of grand larceny before His Honor, Recorder HOFFMAN, and was sentenced for a term of three years to Sing Sing prison. He confesses his guilt, and that he deserved punishment. He was out of employment at the time, but his vicious and irregular habits and practices were the cause of his crime. He had sacrificed his money, health, reputation, and all that was dear to him, and, that, without compensation, to serve a hard task master.

He believes he has acquired considerable light by a bitter experience, and now he determines to become a better man. He was encouraged to pay his vows, and all would yet be well with him, for both worlds, the present and the future.

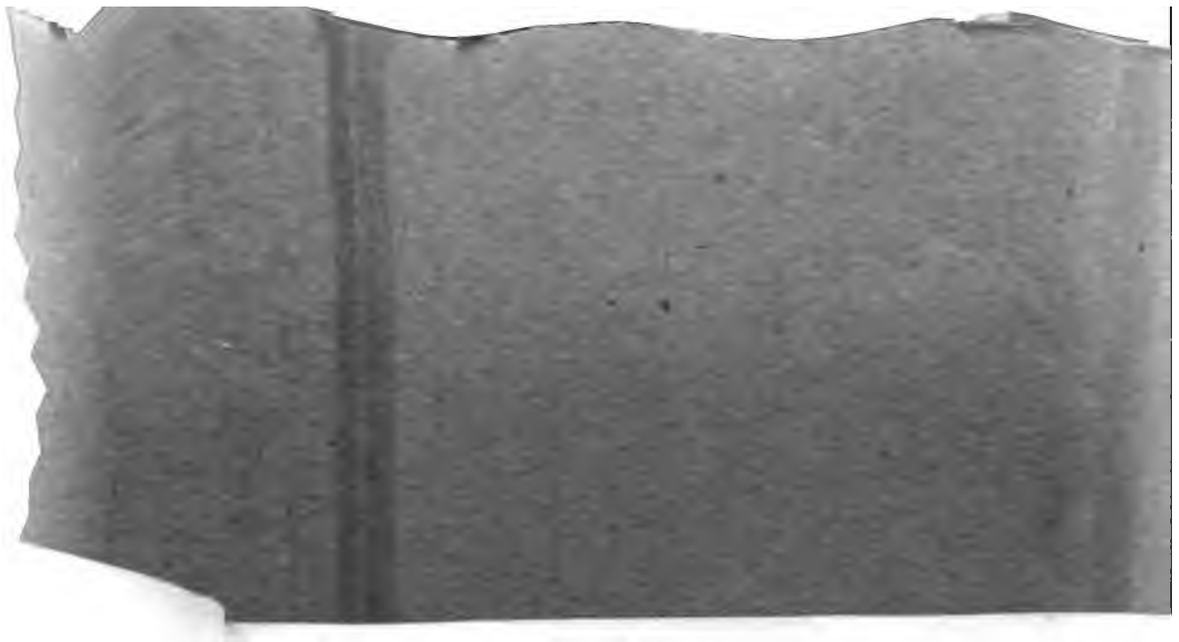
He saved four months under the commutation law. He says that that law works like a charm, and aids and strengthens the convicts to try their very best to avoid a violation of the prison rules. In this effort, they unconsciously mend their ways, and, he thinks, not a few permanently reform.

When he was discharged he received but $4; nothing for overwork.

The Association enabled him to reach his brother in the country, who, he felt sure, would give him a hearty welcome and secure him employment. He was evidently grateful for the kindness shown him.

No. 10 — Left Sing Sing State prison yesterday.

He was tried on an indictment for grand larceny, was convicted and sentenced for a term of two years. The court believed him to be inexperienced in crime and prison life, hence some leniency was shown him.



He had been but six months in the country, and, but for his staying with a drinking family, the offence would not have been perpetrated. He regrets that he fell into bad hands, and that he thoughtlessly yielded to the temptation to steal. He contends that no such propensity can be found in his nature. Ignorant and uneducated as were all his kindred, not one of them was known to be dishonest.

He has seriously resolved to keep out of bad company; he has a sister in good circumstances, some distance from this city.

The Association provided him with suitable clothing and means to reach her; we hope he will "learn to do well."

No. 11 — Was tried in the Court of Sessions, Kings county, on an indictment for burglary, before His Honor, Judge DIKEMAN. She was convicted and sentenced for a term of three years and six months. She saved five months off her original sentence by her good conduct, and received $4 when discharged.

The facts in her case, as shown by the testimony, proved that she had entered a house, and was found fast asleep in the parlor, on the sofa, and, that nothing had been removed or taken from the house.

She represents that she has been staying with a friend, and, as soon as the weather permits, she will accompany a family into the country as their domestic help, provided the Association will render her temporary aid. Rum and whisky had produced all her trouble. She has abstained, and promises still to abstain, from the use of all strong drink, and never taste it again. She was appropriately aided by the Association.

No. 12 — Whom we knew to have been in trouble some eight years since, and who was at that time rescued by the interposition of the Association (it being his first offence and he sincerely penitent) now calls at our office and says that he has had constant employment since, a period of nearly eight years (he brings with him a satisfactory certificate of character from his employer), until the last six weeks; and that now all his little savings are gone, and himself, wife and four helpless little ones are in want; he resolves that no trial shall drive him to the perpetration of crime; his landlord has become clamorous for his rent. The agent most cheerfully advanced him the amount, and felt it was more blessed to give than receive.

No. 13 — Was committed to the Island workhouse by a police judge for alleged disorderly conduct, her first offence. In the meantime, her uncle, living in Scotland, had sent to our care five pounds sterling, with an earnest request that she would take her passage home by an early steamer; we applied by letter to the Commissioners of

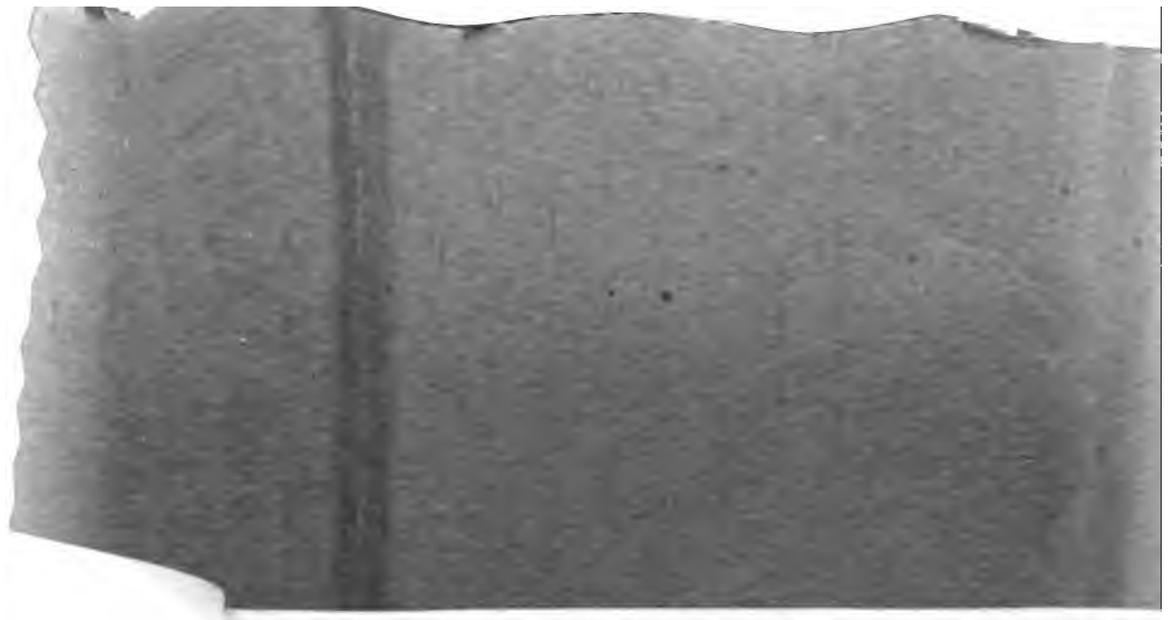
Charities and Correction, submitting the above facts and asked her discharge. With their characteristic promptitude she was released; we saw her on board of the steamer for Liverpool; and most heartily did she thank the Association.

No. 14 — A German who has been in this country the last six years, employed by a contractor to remove old buildings to make way for improvements, was requested by his boss to meet him at seven o'clock one morning at a slaughter house, in a *certain street* of this city, relative to its removal. The German had but little knowledge of English, and, instead of going as directed, he went to a slaughter house in one of *the Avenues.* The morning was extremely wet; he waited until 9.30 A. M.; his employer failed to meet him *there,* when he resolved to return to his home, and come back, should the weather improve. Before leaving, he entered the building again and pulled down three or four skirting boards, tied them together, put them on his shoulder and was in the act of leaving when the owner of the slaughter house stopped him, denounced him as a thief, and had him arrested and committed for trial; when brought into court he admitted taking the old boards. This was regarded as a plea of guilty, and he was sentenced for two months to the penitentiary.

Some three or four weeks subsequent to his sentence, your agent was informed that his wife was confined with her sixth babe, and that they were all in great destitution, and in danger of being starved to death. We made known to a lady, familiar with the objects and aims of our Association, this afflictive case. She immediately visited the family, and, anticipating their pressing wants, had conveyed to them a basket of food, which at once alleviated their pressing necessities. She promptly reported to the General Agent their condition, when he, without delay, visited them; their arrearage of rent was paid by the Association, and the means furnished to provide coal, food, and other necessaries. We felt that the money was well bestowed, as the family were found to be sober, industrious, honest and worthy. When the father was discharged from prison, he called and heartily thanked the Association for the attention bestowed on his helpless family. He was provided with work, clothes, and a little money. A more thankful man I have seldom beheld.

The average number of discharged convicts and other persons calling at our office from our penal institutions, jails, penitentiaries, criminal and police courts, and hospitals connected with our prisons, is from thirty to thirty-five per day.

We endeavor to discriminate and to exercise a wise caution as regards the aid extended to these numerous applicants. While we



promptly alleviate the distresses of the worthy, in whose reformation we confide, we hold it unwise and inexpedient, as a general rule, to help those who refuse to help themselves. Hence, whatever succor is extended to the idle, the intemperate, the revolver, the habitually criminal — and we do not withhold all relief even from such — it is, in the main, slight and temporary. Thus, it will be seen, the past year has witnessed but little change in the nature and extent of the labors of your agent.

The constant recurrence of the same evils, the constant flow of the tide of crime, and of its consequent suffering, misery and degradation, have been met by the same effort of good and earnest men, seldom altogether successful, but, perhaps, quite as seldom without some good results, which have been noted in previous reports.

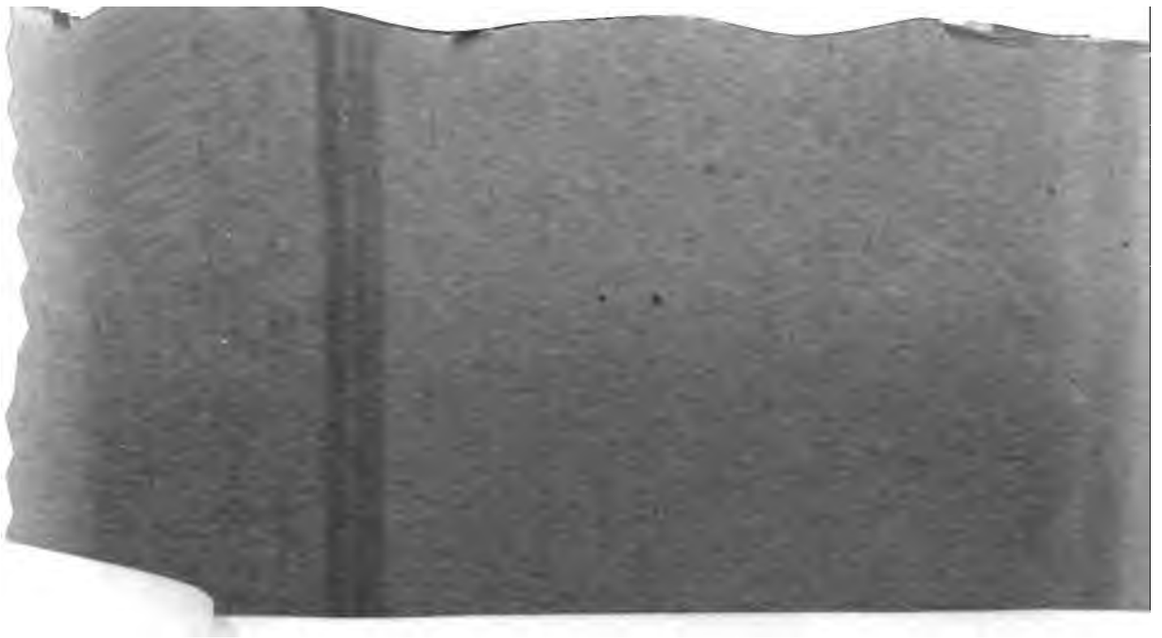
I am happy to report, that, during the past year, there has been no lack of the kindness and courtesy which the Association has been accustomed to receive from gentlemen connected with our criminal courts, and from members of the bar to whom we look for aid, and that I have reason to expect a consideration equally kind and encouraging in the future. It is no small consolation (when I take a retrospective view of my feeble labors) that, without compromising the Association, the cause of justice or the claims of law, and without prejudicing the interests of the community, I have been of some use to the fallen and the unfortunate.

GENTLEMEN OF THE EXECUTIVE COMMITTEE: — I have begun the New Year in a very delightful way — visiting the families of those whose husbands, wives, sons, daughters, or dear relations are inmates of one or other of our penal institutions, and of those discharged convicts whom I know to be industriously employed in earning an honest living, as well as of some of the arrested who are awaiting trial. My New Year's calls were heartily welcomed and my New Year's gifts were gratefully received by those who were in needy circumstances, and upon none others were they bestowed. I exercised my best discretion in distributing the liberal sum of $250, which your bounty intrusted to me for this purpose. I felt alive to the truth that I was the accredited almoner of the Association, and labored to perform the pleasing duty laid upon me well and faithfully; and I believe and am sure that such visits are productive of great benefit; they have an elevating effect, an influence that constrains the recipent toward good. It is a delightful employment to help those who help themselves; I felt and feel that "he that giveth to the poor lendeth to the Lord." Let us be satisfied with the security and guarantee: "I will repay, saith the Lord."

In concluding this report of my personal labors, I have renewedly to thank the gentlemen of the Executive Committee for the encouragement given me in the performance of my duties, always arduous, often trying; and to assure you of my solemn purpose still to work in this field of practical philanthropy with constant fidelity and zeal, while health and life are spared.

All of which is respectfully submitted,

ABRAHAM BEAL.



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IV. REVIEW OF THE CONDITION AND WORKING OF THE STATE PRISONS OF THE UNITED STATES FOR 1867.

By the Corresponding Secretary.

The administration of penal justice in any country is one of the most important branches of the public service; and that, in what concerns the details of punishment, as well as in what relates to the principles of criminal law and the proceedings necessary to the conviction of the transgressor. It has an interest as broad as the human race; for, everywhere, it affects the rights of property, the safety of society, the security of human life, the maintenance of social order and the purity of the public morals. It is obvious that the system, on which such administration is conducted, is of vital moment to the welfare of states, the repose of nations and all the interests of society.

Two general systems of prison discipline obtain in the United States, though in widely different degrees — the one being confined to very narrow limits, the other extending over almost the whole country. The names by which they are respectively designated are the Pennsylvania or separate system, and the Auburn or congregate silent system. The former receives its title from the State in which it originated and the mode in which it is administered; as the latter does from the city where it was first practised and its distinctive administration.

The separate system was tried for a time in New Jersey and Rhode Island, but has long since been abandoned by them. It is now confined to the State of Pennsylvania, and, even there, it exists in full vigor only in the Eastern Penitentiary, at Philadelphia. A party, opposed to separate imprisonment, has sprung up in Pennsylvania, which is daily gaining strength and adding to the number of its adherents. A high officer of the State government, in a recent letter to the writer, says: "We are *drifting* toward a modification of our system of prison discipline in Pennsylvania, and I think we shall eventually adopt some of the features of the Irish system." The strictness of the separate system is greatly relaxed in the Western Penitentiary, at Pittsburgh; and there is not a county prison in the State where it is maintained in its integrity. Indeed, as a writer in the North American Review has observed,* "we find in Pennsylvania

* N. A. Review for October, 1866, pp. 391 and 392.

the curious anomaly of a prison discipline for heinous offenders, which requires their entire isolation, while the county jails, from which these inmates of the penitentiary come up, are managed, with few exceptions, in the old higgledy-piggledy fashion, which made the ancient Walnut street prison of Philadelphia so detestable. Separate confinement is not a *Pennsylvania* but a *Philadelphia* system. Even in the Philadelphia county prison at Moyamensing, as a late report of the Philadelphia Prison Society informs us, 'the *convicts* have separate cells, and *it would be better* if the untried and the vagrants could be insured the same advantage; but *this is at present impossible.*' Indeed, it is impossible at this moment in the Eastern Penitentiary itself, since the number of prisoners is so great, that in each of a hundred or more cells two convicts have to be placed, to the destruction, so far, of the fundamental principle of the system.

In all other States of the Union, except Pennsylvania, the Auburn, or congregate, silent system prevails.

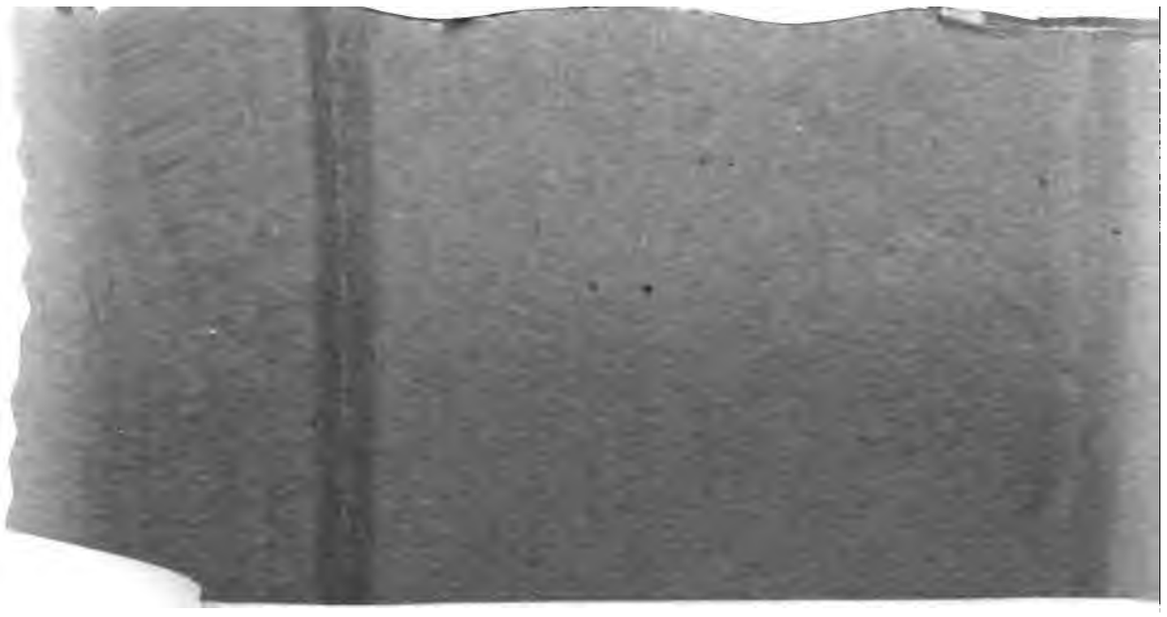
These two systems differ materially in their methods of administration, but they have a common basis. The principle of isolation, with labor, lies at the foundation of both. In one, the isolation is effected by an absolute bodily separation by day as well as by night, and the labor is performed in the cell of the convict. In the other, the labor is done in common workshops, and the isolation is secured at night by the confinement of the prisoners in separate cells, but during the day is of a moral kind, being effected, as far as possible, by the enforcement of absolute silence. The bodies of the prisoners are together, but their souls are apart; and, while there is material association, there is mental solitude.

Such is the theory on which the respective systems are founded; but in neither do the facts ever fully correspond to the ideal.

An increased interest in prison discipline and prison reform has, within the past few years, been awakened in the United States. This has been accomplished chiefly through the reports of the Prison Association of New York, the Massachusetts Board of State Charities, and the Philadelphia Prison Society.

Proofs of the revived interest here affirmed are multiplying daily. The writer of the present paper is in the best condition to learn both the sentiments and doings of his countrymen in reference to this great work, as the office of Secretary of the Prison Association brings him into correspondence with persons in all parts of the country who are most active in pushing forward the needed reforms. A few of these proofs it may not be amiss to exhibit.

California has lately organized a Prison Commission in imitation of our New York Association, which, composed of true men and



earnest workers, is accomplishing results of the highest importance as regards the interests of prison discipline in that State. Western Pennsylvania has formed a similar organization, which, in a quiet way, is doing a good work. More recently, Ohio has instituted a society of the same kind, which, from the character, position, zeal and energy of the men engaged in it, is likely to impress its convictions upon the Legislature of the State. The same is true of Delaware. Movements in this direction are not wanting in other States. Prisoners' Aid Societies have been formed in the localities of a few of our State prisons, which have shown themselves to be of essential utility in procuring work for discharged convicts, and thus preventing relapses.

The organizations referred to above are of private citizens interested in the work of prison reform, who have voluntarily associated together for its promotion. But States are moving in their organic capacity. Pennsylvania has appointed a commission to investigate the prison question, and report whether an additional prison is needed, and, if so, on what plan it shall be conducted.

New Jersey has appointed a similar commission, composed of eminent citizens, who are understood to favor the Irish system. It is the good fortune of the writer to have spent several hours in conference with each of these commissions; and he was deeply impressed with their ability, their candor, and their enlightened and patriotic devotion to the work assigned them by their respective governments.

A further evidence of the newly awakened interest in prison reform is found in the public press, that sure index as well as powerful moulder and guide of public sentiment. More has been published in the quarterly, monthly, weekly and daily journals of the country, within the last two years, than during the ten years preceding. Nor has what has emanated from the press gained more in breadth than it has in quality. Papers of remarkable thoroughness and power have appeared in all classes of our journals, from the ponderous quarterly, that graces the scholar's table, to the light and more evanescent daily and weekly, that visits every fireside in the land.

A final proof of the marked revival of interest in the reformation of our prisons and prison systems is found in the correspondence of the New York Prison Association. Scarcely a mail comes to our office, which does not bring one or more letters from some prison officer, State official, or private citizen, asking for reports, information, or suggestions relative to the organization, government, architecture and administration of prisons.

It has been remarked, in a former paragraph, that two prison systems are in use in the United States — the separate and the congregate. This classification is based upon the internal discipline of the prisons. But there is another relation in which the subject may be viewed, viz., as regards the several classes of penal and correctional institutions, into which are received those who have violated, or are charged with having violated, the laws of the land. In this view, the prison systems of our States embrace four classes of institutions — the lock-up, the county jail, the State prison, and the reform school or house of refuge; except that a few are yet without State prisons, and most of the Southern States lack the juvenile reformatory. Several of the States have prisons of a grade intermediate between the county jail and the State prison, called by different names — house of correction, workhouse, penitentiary, bridewell, etc.

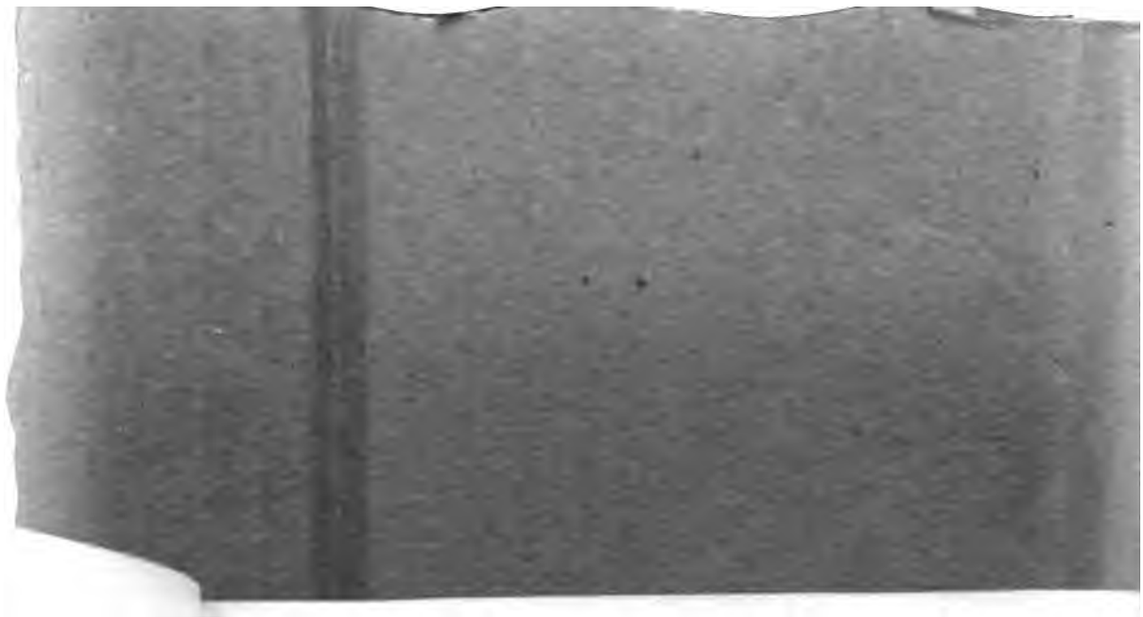
It is proposed, in the present paper, to present a general view of the condition and working of the State prisons of the United States for the year 1867. For its preparation, I have carefully examined the reports for that year of the prisons of twenty-four States; and, from the remaining thirteen States, I have gathered what information I could by correspondence, using all diligence to that end.

In looking over the reports above referred to, two things have particularly arrested my attention:

1. *A marked improvement in the reports themselves over those of former years.* The major part are more full in their detail of facts, and the information itself is better digested, better arranged, and presented in a form and style more attractive and satisfactory.

2. *The evidence afforded by them of an advance in the theory and practice of prison discipline.* The classification of convicts according to their conduct and character, the restoration of their manhood, the implantation of hope in their breast, their encouragement by suitable rewards, the conviction that the mass of criminals are reclaimable, the necessity of increased attention to their religious and mental culture, the duty of making reformation a more pronounced object — these and such like ideas, and a practice conformable thereto, are almost everywhere gaining ground.

With these general remarks, I respectfully submit the following digest of the information obtained from the reports and correspondence above mentioned, relative to the condition and operations of the State prisons in the several States of the Union for 1867, arranging the States in alphabetical order.



ALABAMA.

Repeated efforts to that end have failed to elicit an item of information touching the penal administration of Alabama.

ARKANSAS.

The following letter from a member of the Legislature of Arkansas, addressed to Theodore Tilton, Esq., contains all the information I have been able to procure relating to prison matters in that State, although such information has been sought by addressing letters to prison and State officials therein.

A note from the warden of the penitentiary, which will explain itself, is appended.

LITTLE ROCK, ARKANSAS, *Sept.* 21, 1868.

THEODORE TILTON, Esq.

Dear Sir: Some months since I noticed in the *Independent*, valuable articles respecting "Prison Reform," "Prison Discipline," etc. As I remember it, your contributors referred to some recent publications respecting the prison systems of the Old World, etc. Besides, I know you to be one who will feel a lively interest in a subject so eminently humanitarian.

In Arkansas our prisons are a standing evidence of our semi-barbarism, or perhaps I should say, our social and political anarchy. I am anxious at the approaching session of the General Assembly to secure such legislation as will establish a thorough system of prison organization and prison discipline for the entire State, based upon humanitarian and reformatory principles.

Would you have the kindness to furnish such information at your command as may facilitate my object? I am anxious to obtain the best possible authorities on the subject, either in the form of prison reports or otherwise.

The vast number of freedmen and other ignorant and debased persons in this country, often guilty of offences for which they are thrown into prison, renders this a subject of the first importance.

WARDEN'S OFFICE, ARKANSAS STATE PENITENTIARY,
LITTLE ROCK, ARKANSAS, *August* 18, 1868.

Rev. E. C. WINES, *Corresponding Sec'y*, Irvington, N. Y.

Dear Sir: Affairs have been so unsettled in this State that no reports of this prison for either of the years named by you have been prepared; so soon as a report is made, I shall take pleasure in sending you copies for the use of your excellent Association.

Very truly yours,

J. L. HODGES, *Warden.*

CALIFORNIA.

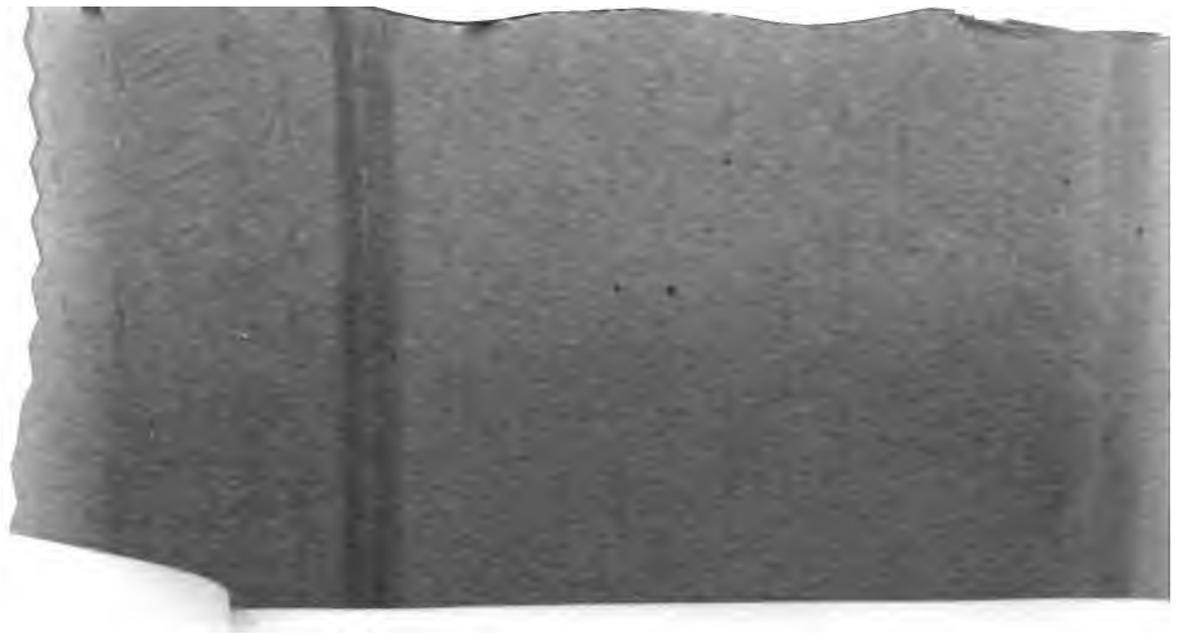
The discovery, twenty years ago, of gold in our newly acquired territory on the Pacific coast, in what then promised and has since turned out to be unlimited quantities, produced a phrenzy of excitement in all the States lying between the Atlantic and the Mississippi, and caused a rush of emigration to that Eldorado, such as the world had never seen before. The swelling tide, as was natural in this fevered expectation of sudden wealth, bore upon its bosom a multitude of desperate characters, men of criminal proclivities and habits, who

were thus poured upon the soil of what has since become the State of California. This has given to our young sister, whose home is toward the setting sun, an undue proportion of that restless, idle, vagrant class, who seek to make a livelihood by preying upon the honest and industrious citizen; has filled her prisons to a degree out of all the ordinary ratios known to older and less turbulent communities; and has made the problem of criminal treatment one of extraordinary difficulty and perplexity. Hence, the number of persons convicted of high crimes and misdemeanors in that State is greater in proportion to the population than in any other of the States of our Union; and the difficulty of an effective control and a judicious management is increased in a like ratio; a difficulty still further intensified by the fact that a prison system was to be created, and that the men upon whom this delicate task devolved had had but little if any experience in such matters. This statement will explain, and at the same time apologize for some things which will fall strangely upon the ear in reading the following account of criminal affairs in California.

The sources on which I have drawn for the facts contained in the present exhibit are: First. The Biennial Report of the Directors of the California State Prison for 1866 and 1867. Second. An abstract of a report to the last Legislature of the State, made by a joint committee of the same. Third. The Second Annual Report of the California Prison Commission. Fourth. Sundry articles from the California press touching the State Prison.

I must here express my regret that the biennial report of the directors is so extremely meagre, there being but two pages of statement or composition, in a pamphlet extending to the length of ninety-eight pages in all, and the rest being made up of tables going into the minutest financial or business details, wholly unnecessary in such an exhibit. Even the two pages of letter-press are nearly taken up with a *résumé* of the information contained in the tables, scarcely half a page being given to the discipline, moral appliances and general internal condition and management of the establishment. The warden does not give us so much as a scratch of his pen in the way of a report, nor have we a word from any of his subordinate officers, except half a page from the physician. The gentlemen in charge of this institution might well be commended to a study of the annual reports of the State prisons of Massachusetts, Wisconsin and Ohio, as models to be imitated in the preparation of their own.

The average daily number of convicts was 704. Of these, no less than 65 per cent were of foreign birth; 82 per cent had never learned a trade; 32 per cent were unable to read on their admission, and 17 per cent were minors when convicted and sentenced.



The bulk of the labor is conducted on the contract system, and all would be, except what is needed for State purposes, if there were sufficient shop-room. The branches of business carried on by the contractors are: boot and shoemaking, harness and saddlery, book-binding, wagonmaking, cooperage, brickmaking, the manufacture of woolen and knit goods, and broom-making. Besides these, the State employs some hundreds of convicts in its own departments of industry, as machinists, blacksmiths, shoemakers, laundrymen, bakers, etc. The price paid by contractors for the labor of the convicts, until recently, has been from thirty to forty cents a day, a price not only ridiculously but shamefully and ruinously low, considering that free labor commands a higher rate of wages on the Pacific than on the Atlantic coast. A memorandum by the warden in manuscript, on the cover of the report sent by him, contains the statement that the *per diem* on all the contracts, at the present time, is fifty cents. The prison accounts, as set forth in that report, are for two years. Taking the two years as in all respects equal, the total expenditures for 1867 were $113,843, and total earnings $39,929; leaving a deficit to be provided for from the treasury of the State of $73,929 — a result not to be wondered at, as the majority of the convicts were hired out at thirty cents a day.

A large number of the convicts do task-work; but whether this is the case on all the contracts does not appear. Under this system the convicts work briskly and soon become experts in the specialty assigned them, for it seems not to be made an object to teach them a full trade. Many of the prisoners complete their tasks by two o'clock, P. M., and the greater part by three. While a considerable number remain to do overwork, the majority go either into the prison yard or to their own rooms, where they enjoy unrestrained liberty of communication, and every one does, or until recently has done, "what was right in his own eyes." Besides the 444 single cells, there are seven large rooms in the prison, provided, like old-fashioned steamboats, with tiers of berths for sleeping, in each of which are accomodated some thirty or more convicts. The occupants, as has been said, are free to go into these after the completion of their day's work, and amuse themselves in whatever way best suits their own fancy. Until very lately, a brisk business was carried on in faro and monte. A graphic description of this gambling sport has been given by a San Francisco editor. He says: "Observing that a large proportion of the convicts gathered in their rooms as soon as their tasks were over, we had some curiosity to learn how they occupied their time, hoping that we should find some of them at least reading instructive books. We saw nothing of this; but we saw groups of

prisoners gathered around four or five different tables or stands, absorbed in the games of faro and monte. The money was piled up on the table; silver coin predominated; now and then a gold piece was sandwiched between them. The clinking of the coin could be heard several yards off; the doors to the rooms were wide open, and the whole thing was as public as any transaction could be within the four walls of a prison. The high old games of '49 were in full blast, the prisoners bucked the ancient tiger with a will, and the money was raked into one corner with professional skill. No doubt only the square games were tolerated, for there is 'honor among thieves.' It was a strange and suggestive sight. Many of these men could no doubt trace their fall directly to gambling. And here they were pursuing their old vocation with undiminished zest. The younger men were looking on and taking new lessons in crime, as the games proceeded at midday."

It is a gratification to be able to say that the warden, in the manuscript memorandum referred to above, states that "gambling and opium-eating have been quite effectually stopped," though even this statement conveys an intimation that something of the old sores still remain. The Joint Committee of the Legislature, in their report, so late as last winter, say: "Some idea of the gambling and trading carried on may be inferred from the statement of one of the contractors (there are six or seven of them), that he has paid for overwork, etc., over $4,500 in one year, to the convicts employed by him —some eighty or ninety." This would give an average of about a dollar a week to each convict, or, as some four hundred prisoners are employed on contract work, an aggregate for the year to the whole prison of $20,800; that is, more than half as much as the entire annual earnings for the State. It seems that all the money earned by overwork is paid directly to the convict as fast as it is earned, and that he is at full liberty to spend it as he lists.

There are other practices in this prison which, though not quite so bad, are scarcely less strange than this. The San Francisco editor before quoted from, says: "Many of the prisoners roamed about the yard, and even appeared to be jolly. We observed that quite a number of prisoners refrained from eating in the dining-room, but carried their rations out with them and did their own cooking out of doors, with such little helps as their own ingenuity could suggest. A few were making coffee, others were frying potatoes in grease which they had bought of the cook, who was also a convict. It appeared that the cook skimmed the grease from the meat, as his perquisite, and then sold it to the convicts at about a bit a pound. We judged that this favored son of fortune did a pretty brisk busi-

ness. It is due to him to say that he sold a very fair article, and the convicts seemed glad to get it at any price. The chief cook in charge of the kitchen (who is in for the crime of murder) has an iron safe with a very fair line of deposits. We believe that he can, upon a pinch, count out from $2,000 to $3,000 at a time. In short, for a 'banker' of moderate ambition, he has an ample capital." On this subject the Joint Committee observe: "All the food is boiled, and the cook (a convict) skims the grease off the meat and sells it to those who have money. He is, moreover, allowed to trade in the same kind of supplies as those in his keeping."

Indeed, from the documents, it would seem that the old English tap system, so vigorously denounced by Howard, in his day, as a mother of abominations, has been introduced into this prison. The editor from whose article two citations have already been made, says: "Four or five convicts are also engaged in the business of huckstering within the prison walls, buying of the commissary and selling to the prisoners at a profit. One of these has quite a little grocery establishment. Convicts who have money can buy fruit, coffee and many luxuries." This is confirmed by the report of the Joint Committee, who declare: "The food furnished the prisoners is ample in quantity, but very bad in quality — so bad as to drive all who have any means to the trading stands kept by convicts and supplied by the commissary. Old convicts, who, during the time previously spent in the prison, have acquired considerable mechanical skill, are enabled by their earnings to live well; and thus a distinction is created in favor of the least deserving."

There is a highly objectionable feature which enters into the very organic law of the prison; it is that of making the lieutenant-governor, *ex officio*, warden thereof. The greatest obstacle to the thorough and permanent reformation of prison discipline in America, are the fluctuations which result from that dominating power of party politics, to whose control the administration of the greater part of our prisons are unhappily subjected. But this adds a new and intensified element of change. Most of the displacements of good and tried men from the governorship of our prisons come from the mutations of party. This, however, does not wait upon a revolution of the political wheel, but must often exact a change of officers and administration even during the ascendancy of the same party; for it cannot be supposed that any party will always make the same man lieutenant-governor. Even if it should be so disposed, the incumbent himself might have aspirations, which would be inconsistent with a perpetual retention of the office. But the case, as here put, does not reveal the whole extent of the evil.

Suppose the governor should die, or from some other cause become incapable of serving; the lieutenant-governor must, in that case, step into his place, and a new man must be instituted as head of the prison; so, that, here is a triple liability to change, and a triple peril incurred as its consequence.

Another point, in which the arrangements of the prison are open to criticism, is, that there is neither resident physician nor resident chaplain in it. The bodily maladies of 700 men are enough to occupy the time and skill of one medical man; and the moral and spiritual ailments of the same community may well employ the whole energies of one religious teacher. At present, less provision is made for the latter than for the former of these necessities. The general agent of the Prison Commission visited the prison fourteen times during the year, and generally preached to the convicts on these occasions; and an occasional sermon was delivered by other ministers.

However, notwithstanding these imperfections, abuses, drawbacks —the gravity of which none will deny—there is progress even in California, and that in the right direction. Gambling and opium-eating, at least in open day, have been abolished; the prison is declared by the directors to be a model of cleanliness; the prison dietary has been improved; the present administration is enlightened and humane; unnecessary punishments, it is claimed, are not inflicted; sanitary reforms have been effected; a good commutation law has been enacted; and, what is best and most hopeful, a new interest has been awakened, sound ideas are advancing, and the desire for reform is becoming wider and deeper in the public mind, and the effort toward it more earnest and vigorous. These healthful and hopeful tokens are chiefly the work of the California Prison Commission. That Association is zealous and active, and pursues its work "with meekness of wisdom," agreeably to the apostolic injunction. Having, in its last annual report, sketched an excellent system of prison reform, it closes its recommendation with these words:

"Let a trial of this system be made, and, if found successful, then, after a time, let the extension and division of the State prison, before spoken of, be made, so as to admit of classification to some extent, and the establishment of grades, the privileges being greater and the fare better, in each one than in those below it; and let the motives of hope and fear be made to operate as incentives to proper behavior, in connection with these grades and the removal of prisoners from one to another. This would inaugurate what, more fully developed, would be identical with the 'Irish Prison System,'



before referred to, that has recently begun to attract such attention, and which is eliciting so much approval from those who have given the subject any thought. We will here say, incidentally, that, if a careful and candid consideration of that system and its results, by each one having a part in the control of our public affairs could be obtained for it, we should have no difficulty in securing the legislation necessary to enable us to see the consummation of all our desires in regard to prisons and prison management throughout the State."

Connecticut.

The discipline of the State prison at Wethersfield, during the forty years of its history, has seen fewer changes than that of any other prison of its class in the United States, whose origin dates back so far. It was milder and relied more on moral agencies at the start than any others conducted on the Auburn plan; but, while most, if not all of these, have relaxed their rigor, and been advancing in the line of a more humane treatment, this has maintained its discipline at a nearly uniform standard. However, the report for 1867 shows that the new ideas have at length entered its precincts with their softening influence, as will be made apparent in the progress of this review.

The contract system of labor is practised in the Connecticut prison. The branches of labor pursued here are shoemaking, burnishing silver-ware, and making rulers. The earnings of the prison for 1867 were $25,166, while the total expenses amounted to only $23,460, leaving a net gain of $1,706. It is remarkable, and probably unparalleled in the history of American prisons, that for forty years — the whole period of its existence — there have been but three years when it was not self-sustaining; and its aggregate surplus earnings cannot be less than $150,000. This sum has paid for the erection of all the buildings and their repairs throughout the entire history of the institution, and has left a considerable amount to be expended in the improvement of the county jails. The money given to the jails was on the recommendation of Gen. Amos Pilsbury, when he was at the head of the prison; and it received that direction with the view of encouraging them to organize a system of labor and of regular prison discipline upon the Auburn plan. As a consequence, productive labor is carried on in six of the eight counties in the State. The aggregate earnings of the prisoners in these six jails for 1867, was $5,334. This does not include what is paid to the counties by the State for the board of prisoners. The earnings *per capita* ranged from $106, as the maximum, to $2 — the average being $22. Connecticut is the only State in the Union, so far as I am informed, where remunerative labor is carried on in the jails.

The following extracts from the reports of the several authorities of the prison will show the direction in which things are moving there at the present time.

The directors say: "The old theory that nothing is too bad for a prison convict, that any acts of kindness shown them were misplaced, and that all or nearly all were treacherous or unworthy of confidence, is being supplanted by the law of kindness, and it is found that in a great majority of cases it has a much greater influence for their reformation than the law of force. This, in the opinion of your directors, has been fully demonstrated in our own prison within the last few years.

"The Legislature of 1862, allowing the warden to deduct a certain percentage of time from the sentence of the convicts for good behavior, the charming concerts given from time to time by the South Church Quartette of Hartford, under the direction of C. W. Huntington, Esq., the donations of fruit, etc., from the contractors and individuals not connected with the prison, the annual dinner of the last two years furnished by that large hearted gentleman, H. C. Dorsey, Esq., of Pawtucket, R. I., together with the kindness of a humane and christian warden, assisted by his gentlemanly subordinates, have done much, very much, to lead the convicts to feel that they were not forgotten by the State or their fellows, and that their reformation and not their degradation were desired; consequently it has been much easier to maintain the discipline of the prison, and never in its history has it been more perfect and submitted to as willingly and cheerfully as to-day. On the first day of January, 1868, Henry C. Dorsey, Esq., of Pawtucket, R. I., presented to William Willard, Esq., as trustee for the State of Connecticut, $1,666, the interest of the same to be expended on each and every 31st day of January, forever, for a good roast dinner for the State prisoners at Wethersfield.

"A melodeon has been purchased for the chapel, which adds greatly to the interest of our Sabbath service. The singing of the convicts, under the leadership of the deputy warden, assisted on the melodeon by J. W. Kennedy, Esq., has greatly improved the past year, and does great credit to all concerned."

The warden in his report remarks: "The past year has, on many accounts, been the most interesting of my prison experience. Never in any year has so much been done to encourage and elevate those who have by their own acts banished themselves from those softening and ennobling influences which abound in the outer world, but which many have thought and still think it necessary to shut out from those condemned to prison life. You, gentlemen, are aware, to some extent

at least, of the happiness created in each of their hearts by those delightful concerts which we have enjoyed through the kindness and generosity of the South Church Quartette of Hartford; you have also seen the rapture of delight expressed by them when listening to the noble words of that noble man H. C. Dorsey, Esq., who may well be styled the 'Prisoners' Friend;' you have also seen their countenances light up with joy and gratitude at the thought that the chief executive of the State should be willing to leave his business to come and grace their festal board, speaking to them words of comfort and cheer which went to their very hearts. But it has been my privilege to commune with them individually and alone, and thus to learn the effect on each heart, and in so doing I have been greatly strengthened and encouraged in my work, and cannot but feel that many have this year, as they have expressed it to me, 'determined to lead a new life.'"

This is a noble testimony to the good effect of humanity and kindness in the treatment of convicts. After such statements from the directors and warden, no one will be surprised to hear the chaplain express himself in the following language:

"Although this report closes the tenth year of my services in Connecticut with this Institution, it has been one of the most pleasant and successful in my pastoral duties among the men. I have found their greetings of the most cordial character, and during no year have I witnessed so many expressions of penitence, and sincere desire to reform, as in the present, while many have expressed their confidence in a change of heart through faith in our Lord and Savior Jesus Christ. It is an interesting fact that scarcely a sabbath has passed for several months, but that some one or more have expressed their interest in the subject of religion, and have sought instruction from their chaplain.

"Notwithstanding the danger of instability of professions under these secluded circumstances, I shall be disappointed if I do not hear a favorable report from a goodly number, after they shall have gone out into the temptations of society."

An efficient Sabbath School is kept up in this prison, which is attended by all the convicts who choose, though none are compelled to do so. There was an increased attendance in 1867. It is an interesting fact that both the warden and his deputy render effective service as teachers in the school.

A library for the use of the convicts is found in the prison; but the number of volumes is not stated. The chaplain complains that the customary appropriation of $100 a year is not sufficient, considering the high price of books, to keep the library up to the proper standard, and pleads for a larger grant. It is a little surprising, that, with

an annual surplus from earnings, such a plea should be necessary; and it will be still more so, if, having been made, it should prove unsuccessful. We learn with amazement, from the chaplain's report, that the gas-lights, by which alone the prisoners have any opportunity to read at night, have been extinguished since the commencement of the late war, that is, for nearly eight years. What relation there is between war and the denial to convicts of the privilege of reading at night is a puzzle. We may well join the worthy chaplain in his hope that those "gas-lights, before the long evenings of another winter arrive, may be restored for the use of the men, that they may improve those silent and solitary hours in furnishing their minds with knowledge." An occasional indulgence in an extra good dinner or in the "rapture" afforded by a "concert of sweet sounds," though excellent in their way, cannot make up for such a perpetual deprivation as this.

Delaware.

There is no State prison in Delaware, and all convicted felons in the State are imprisoned in the jail of New Castle county. The following letter from the overseer will be found interesting:

New Castle County Prison, Del., *Oct.* 8, 1868.

Rev. E. C. Wines, D. D., *Cor. Sec. N. Y. Prison Association:*

Dear Sir—Sometime since, I received a letter from you asking certain information concerning the government of this prison. It was my intention at the time of the receipt of said letter to comply with your request, but in the routine of business, it slipped my memory. I have before me at this writing yours of the 6th inst. I will state to you, as explicitly as possible, the information you desire. The bounds of this prison's jurisdiction are New Castle county. The average of those confined for State prison offences for the year 1867 was about forty. Of that number, twenty-five were black males and three black females, and twelve were white males. There was one black male sentenced for life, one black male fifteen years, one black male twelve years, and one black male nine years. The average after that was one year each. During the same year, there were forty vagrants sentenced to sixty day's imprisonment each. Of that number, there were twenty-three white males, ten white females, five colored males, and two colored females. Deaths during that period, one black male. Escapes, one white male. All intemperate, except one. Ten had learned a trade. The only work is carpet-weaving. Convicts and vagrants are required to work. One-half of the whites are foreigners. Punishment for breach of prison rules is solitary confinement on bread and water. There are thirty-eight cells. At my present writing there are confined sixty-six persons; one-half awaiting trial, the others serving out their sentence. The court for the trial of criminals convenes twice a year, in May and November. Of the sixty-six confined at present, twenty-eight are white males, eight are white females, twenty-six are black males, and four are black females. One-third of those convicted and sentenced in the year 1867 were *minors*, without trade. There were pardoned, in the year 1867, five—two by the President of the United States and three by the Governor of Delaware.

Yours, most respectfully,

JAMES M. WISE,
Overseer New Castle County Prison.

Florida.

The following letter from Colonel Martin contains all the information in my possession on prison affairs in Florida, although letters have been written both to the Governor and Secretary of State, asking for further facts:

OFFICE OF ADJUTANT-GENERAL,
TALLAHASSEE, FLA., *January* 14, 1869.

SIR: The U. S. Arsenal at Chattahoochee has been transferred to this State for the purpose of a penitentiary. It is to be conducted under a military organization, and I have been assigned to its command. I am anxious to get all the information I can in regard to the manner of conducting State prisons, and with that view I respectfully request you to give me all the information you can on the subject. If you have any reports showing the discipline, quantity of clothes, diet, etc., allowed prisoners in the State prisons in New York (my native State), you will oblige me by sending me copies of them, together with any information you think will be of assistance in making regulations for our prison.

I am, sir, very respectfully,
Your obedient servant,
M. MARTIN, Col. S. P. G.

Rev. Dr. WINES, Office of Prison Association,
38 Bible House, New York.

Georgia.

The following brief note from the Keeper of the State prison of Georgia, in reply to a request on my part for the last report of that institution, or in default of a report, for such information as might be communicated in a letter, is all I have to submit relative to penitentiary matters in the Empire State of the South:

OFFICE PRINCIPAL KEEPER GEORGIA PENITENTIARY,
MILLEDGEVILLE, GA., *July* 28, 1868.

Rev. E. C. WINES, *Corresponding Secretary:*

RESPECTED SIR: I am instructed by Colonel W. C. Anderson, principal keeper of this institution, to say, in reply to yours of the 20th instant, that he will comply with your request as soon as the same is published.

Yours, respectfully,
W. C. ANDERSON, *Principal Keeper*,
per ALEXANDER MOFFETT.

Illinois.

The Illinois State penitentiary publishes its reports only once in two years; consequently, the latest issued is that for the years 1865 and 1866. This biennial report, a pamphlet containing the rules and regulations, together with the Penitentiary Act of 1866, a business catalogue of the penitentiary, and the correspondence of the warden, General Dornblaser, constitute the sources on which I have drawn for the materials of the present sketch. From the origin of the prison, nearly or quite a quarter of a century ago, down to the passage of the act above mentioned, its industries and

government were organized upon what is known as the leasing system. Under this system, the prison was leased for a term of years to some individual or firm, who took upon themselves the entire maintenance of the establishment, paying to the State a yearly rental of several thousand dollars. The discipline of the prison, as well as the labor of the prisoners, was committed to the lessees; and thus was introduced, in all its pestilent force, except as restrained by the higher civilization of the age, the very principle against which the immortal Howard wielded his vigorous pen — the principle of vesting in one man absolute control over the bodies and souls of an indefinite number of human beings, and those in a condition the most unprotected and helpless.

Since the visit of the Commissioners of the Prison Association of New York, in 1865, on which occasion they expressed, with all the force of language they could command, as they have since done in their report, their abhorrence of the system, the Legislature of Illinois has replaced it with one more in accordance with the requirements of humanity and the progressive spirit of the times. Not only has the leasing system been abolished, but the contract system also, and the industries as well as the discipline of the penitentiary are now managed by the State. A system of labor has been introduced, embracing cooperage, stone-cutting, the manufacture of carriages, agricultural implements, tools, machinery, saddles, harness, clothing, boots, shoes and cigars. Each of these departments is thoroughly organized and vigorously pushed under a competent foreman. The whole establishment forms a hive of busy industry; the best of stock is produced; and the demand for the prison manufactures more than keeps pace with the power of production. The penitentiary, it is understood, is even now paying its way; and it is believed that it will, in the future, yield a handsome revenue over and above all expenses.

So much for material results; but what is of far greater moment, is the improvement of the discipline and moral appliances of the institution, under the new warden, who is a man of progressive spirit, and is diligently studying all the more recent works belonging to the literature of prison discipline, particularly that admirable treatise of Miss Mary Carpenter, entitled "Our Convicts." The lessee and former warden was a respectable citizen, and not wanting in humanity; but human nature is weak, and the temptation to make money by stinting the prisoners, on the one hand, and overworking them on the other, must ever prove too strong for resistance, with well nigh unchecked power in possession. Accordingly, on the change of system and administration, the prison was found in a

deplorable condition. Every thing was run down to the lowest point. The bedding and clothing of the convicts were worn out. The machinery was all out of repair. The amount of rubbish and filth accumulated in the prison yard was frightful. It required the labor of many men and several teams for nearly three months, to place the establishment in a proper sanitary condition. But all that was necessary has been done; and the prison is now in a far more hopeful way than it ever was before, and that as regards both its material and moral interests.

The average number of prisoners in confinement during the year 1866 was 960; but the whole number in the penitentiary at the date of the report, December 1, 1866, was 1,073. To meet the peril arising from the increasing population of the prison, the commissioners recommend that grand larceny should be fixed at twenty-five instead of five dollars, and that a school of correction for youthful criminals should be established. Both these suggestions are judicious. The most important is that which recommends the establishment of a special prison for youthful transgressors, to be conducted as a school of correction. Should such an institution be created, the crime of grand larceny might safely be fixed at the minimum of $50, or even a higher sum than that. With both these changes enacted into laws, the penitentiary at Joliet would no doubt be large enough for many years to come.*

* Since the above account was written, a letter, as interesting as it is remarkable, has been received from the chaplain. No apology seems necessary—rather, it seems to me, thanks will be given — for introducing the following extract:

ILLINOIS STATE PENITENTIARY,
JOLIET, *January* 12, 1868.

Rev. E. C. WINES, *Corresponding Sec'y, N. Y. Prison Society:*

DEAR SIR: * * * * It has occurred to me that some information respecting the moral condition of the institution might not be unacceptable to you in your official capacity. Hence, my purpose in addressing you.

About one year ago, a spirit of inquiry and deep solemnity was unmistakably manifested among our prisoners. Feeling that the Spirit of the Lord was moving in our midst, I determined to take such measures as I deemed advisable for the proper development of the religious element of our isolated community. To this end, I gathered into a prison church organization such as were making open profession of a change of heart. The society was formed with fifteen members, in the month of March last. It now carries on its records the names of some three hundred members. The daily walk of the majority of these gives satisfactory evidence of God's redeeming grace in their hearts. The interest in this revival, manifested in the great mass of these unfortunate men, is rapidly increasing; and from present indications I dare to hope that the society will double its membership during the coming year. After the regular exercises of the Sabbath, the society holds its meeting, and that without the presence of the prison guards. The utmost decorum is preserved at such times, and our officials have no hesitation in extending their confidence to the society.

Aside from this organization, there are many indications of the Redeemer's

Iowa.

The reports of the State penitentiary of Iowa are made biennially. The last report covers the years 1866 and 1867. I have been obliged to make estimates for the statistics of 1867, as well as I could, from the consolidated statistics of the two years, forming my judgment upon the data before me.

The average number of convicts for the year under consideration was 146. The total expenditures for the year amounted to $40,256, and the total earnings to $19,589; giving as the cost *per capita* $276, and the earnings $134. I judge there must be some error as regards earnings, as the amount seems incredible considering the price paid for the labor of the convicts.

The labor here is upon the contract system. It is all let to one contractor, who employs it in coopering and the manufacture of agricultural and household implements. The bargain appears to be a hard one for the State. Able-bodied convicts are hired out at 40½ cents per day, and the day's work is to *average* ten hours throughout the year. This will probably reduce the per diem ten per cent, and so bring it down to about thirty-six cents. All needful shop and yard room is to be furnished by the State without charge; all time spent in learning to read and write is to be deducted from the daily average of ten hours; and the prisoners are to be guarded and kept in good discipline during the hours of work at the expense of the State. This contract is to continue in force for ten years! It requires no gift of prophecy to predict that the Iowa State penitentiary will scarcely be self-sustaining during the period covered by such a bargain.

Several items of interest may be gleaned from the reports of the warden, physician and chaplain.

The warden, Mr. Martin Heisey, distinguishes between the ordinary and special punishments of the prison. The ordinary punishments he states to be the uniform of stripes, constant silence, hard labor during the day, and solitary confinement when not working, or eating, or attending the stated religious exercises. The special punishments are the ball and chain, shaving the head, and flogging with the cat-o'nine-tails. Since these punishments are now regarded by enlightened and humane penologists as so many relics of barbarism, it is a relief to be told "that the discipline of the prison has

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presence within these rugged walls. God be praised! And let us hope that He, who alone can reform the heart, will tarry long in our midst.

With much respect, I am, reverend sir,

Your humble servant,

A. S. BRISCOE, *Chaplain.*

been fully maintained, and good order constantly preserved, without the necessity of many extraordinary punishments; that recourse has been had to the lash in but few instances; and that this degrading and cruel punishment is inflicted only as the last resort after the continued contumacy of the offender." The warden adds: "If the prison were provided with a dungeon or dark cell, in which contumacious violators of the rules could be confined on bread and water diet, I doubt not such punishment would be more efficacious than the lash. Experience teaches, and my observation confirms it, that, in the great majority of cases, kindness and appeals to manhood are efficacious with the most abandoned characters. I have no doubt at all that the dungeon would have a better reformatory effect than the degrading and cruel lash." What insuperable difficulty stands in the way of providing a dark cell, we are not informed.

The warden speaks in the highest terms of the good effect of the inducement to good conduct held out to the convicts by the commutation law: "Its practical operation in this prison (he says) would seem to prove that benevolence is a more powerful incentive to good conduct, among those regarded as depraved, than harsh measures."

This sad picture is given in the warden's report: "Detailed statements in regard to the convicts, their age, occupation, crime, etc., will be found appended to the clerk's report. It will there be seen that there are not less than thirty-four convicts [about one-fourth of the whole number] under the age of eighteen years. One is only twelve years of age! Another is only thirteen; three are but fourteen; one is but fifteen; five are sixteen; eight are seventeen; fifteen are eighteen years of age! The most of these youthful offenders against the law are unable, by reason of physical inability, to work in the shops. It becomes necessary, therefore, to keep them confined in their cells, a punishment apparently lighter, but in truth more burdensome, than that of the labor which the older convicts are required to perform." Cannot the collective wisdom of the State of Iowa devise some better treatment for criminal children than sending them to the State prison? Well does this officer remark, that it is "shocking that no special provision is made for juvenile offenders," and that "wisdom would dictate the establishment for such of a house of correction or reform school." Better still were it to establish institutions of both classes; the reform school for criminal children, and the house of correction for more advanced but still youthful offenders.

The physician states that the prison dietary is plain, but good and wholesome, and that no pains are spared to secure perfect cleanliness in cells, workshops, yards, etc., and also of the persons of the convicts, both in body and clothing.

There is a prison library, but not ample enough for the wants of the institution, and, apparently, not selected with due discrimination. Still its beneficial effects are attested; its volumes are eagerly read by most of the men, and the result is at once innocent recreation and useful instruction.

The chaplain is so poorly compensated, that he is obliged to devote a considerable part of his time to other pursuits—a kind of economy denominated, in common parlance, "penny-wise and pound-foolish." He is evidently a man of sense, as the following interesting and judicious remarks, cited from his report will show:

"The time I have seized for private instruction has been after work hours—in the evening—when the men are locked in their cells, and occasional conversations at special request. Little can be accomplished in this way. The time of the prisoners is leased to the contractors, and it is not to be expected that they would suffer the men to lose much time in receiving instructions from the chaplain. I regard this institution, in common with all others of its kind, as reformatory in character. However beneficial the system of working the men may be—and it has an undoubted good influence mentally, morally and physically—yet *all work* will not accomplish the end designed. We are intelligent, sympathetic beings, and require mental, moral food, as well as physical; and it is human, it is Christian, it is right, that the State put forth every means in her power to reclaim these, our fallen brethren. Give the chaplain opportunities and means, and a work may be done here of which every right-minded citizen would be proud. Let the chaplain have an office, in which may be placed the library; let him distribute the books statedly, with other proper reading matter in the shape of papers, tracts, Bibles; let this office be large enough to hold a class, so that instruction might be imparted at regular intervals to all who might wish to partake of its benefits, as well as have opportunity for private converse. This would not interfere with any contract, nor call the attention of others from their work, while it would give the penitent a better opportunity to speak freely of the interests of his mind and soul, and the chaplain to instruct him and commend him to God in prayer."

Indiana.

Indiana has two State Prisons, designated in law, respectively, "Indiana State Prison, South," and "Indiana State Prison, North." The former is at Jeffersonville, on the Ohio river, and was founded in 1846; the latter is at Michigan city, on Lake Michigan, and dates back to 1859. The annual reports of these institutions, made to the

Legislature of the State, have not been printed by that body for the past few years; whether from an injudicious economy or some other cause, I know not. Wishing to make this review as full and complete as possible, the writer addressed a letter to the Governor of the State, the Hon. Conrad Baker, asking him to have a transcript of the reports made and forwarded for his use. The Governor promptly responded to this request, by causing to be made and transmitted full copies of the documents desired—an act of kindness and courtesy for which the warmest acknowledgments are due, and are hereby gratefully tendered. It is to be hoped that the Legislature will hereafter pursue a wiser as well as more liberal policy, in giving these important annual exhibits of the prison authorities to the public.

A sketch of each prison for 1867 will be given separately, beginning with the oldest.

1. *Indiana State Prison, South.*

The finances of this prison were never before in so prosperous a condition, as during the year under review; and both the directors and warden deserve great credit for the zeal and fidelity, as well as the evident ability, of their financial administration. With an average of 424 convicts through the year, the total expenses were $66,598, and the total earnings $54,270, leaving a deficiency of $12,328. But these figures do not show the state of the case in as favorable a light as the facts warrant. There were expended on extra repairs $4,977, and in the purchase of fuel and vegetables for the ensuing year $3,886, which two sums together make an aggregate of $8,863. This amount subtracted from $12,328 leaves as the real deficit for the year only $3,465. The institution therefore lacked but that trifling sum of having been self-supporting in 1867, whereas in the previous year the deficiency exceeded $20,000.

One much needed improvement was made in the course of the year. A small building was erected within the prison inclosure for the use of the chaplain as an office and library room. The next step will be to get a suitable library for the use of the convicts. The present one, by all accounts, scarcely deserves the name.

There is a provision of law requiring a school to be kept in the prison for the instruction of the convicts needing it in the elementary branches of an English education. But there is no school-room, and no room in the prison suitable to be converted into one. There are no books, slates, stationery, or other needful appliances for school purposes. But, if all these impediments were removed, the contract system stands in the way of a school in the day-time (to

what moral aims in a prison does not this system oppose itself?), and the chaplain, who is by law the teacher, would fear (so he declares) to pass from the prison to his residence at so late an hour as a night-school would require — a dread, by the way, which reveals a state of society, not altogether desirable or creditable, in the place where the prison is situated. Still this officer, who is an earnest and devoted worker, has done what he could for the secular instruction of the illiterate prisoners. He gathered up, by begging, a considerable quantity of second-hand school-books, which he distributed among the convicts, and moreover, by the warden's permission, he sold copybooks to such as desired and could pay for them. The result has been a great improvement, on the part of many, in reading, writing and arithmetic. Some who could not form a letter are reported as now able to write a very legible hand.

Some two years ago the chaplain, Rev. John W. Sullivan, with the consent of the warden and board of directors, introduced a new system as regards letter-writing. Previously the rule had been to restrict the prisoners to one letter a month, both sending and receiving. The new plan was, to allow them to write as often as they pleased, provided their conduct had been such as to entitle them to the privilege. The good effects he found from the change were — a more cheerful submission to the rules, a manifest improvement in penmanship and composition, and a kindly, softening influence upon the heart. But this privilege has been withdrawn by the head of the prison; from what cause is not stated. It seems, moreover, that there is a restriction upon correspondence here, — unknown, as far as I am informed, in any other prison, — which prohibits convicts from receiving more than one letter a month; a hard rule, and one which shuts out many good influences, which would otherwise enter there, perchance as a saving power, in letters from a wife, a mother, a child or a christian friend.

There is a Sabbath-school in the prison efficiently conducted, and of late, it is said, attended by the convicts with a growing interest and profit. Obligation is cordially acknowledged for assistance in this department by the Young Men's Christian Association, some of whom are active teachers in the school; besides which, the Association has voted a donation of a hundred copies of a valuable monthly religious paper, for one year, for gratuitous distribution therein.

Mr. Sullivan thus declares the hopes and encouragements by which he is inspired and invigorated in his arduous and self-denying work: "Our chapel services are attended with good results, as the marked attention, the tearful eye, and expressed emotion of many fully evidence.



"We have great faith in this means of doing good. Whenever the Gospel fails to raise man up from the degradation of sin, no other means need be tried. We regard all the convicts, wicked as some of them are, as subjects of the great redeeming scheme, and, therefore, offer salvation to all; and we rejoice that some have proved this Gospel to be the power of God, in their deliverance from the guilt and thraldom of sin, while others, who have been called to die, in the past few months, declared with their dying breath, that 'Jesus was their friend.'"

There appears to be quite a number of insane convicts in this prison, though exactly how many is nowhere stated in the report. Of some of these the madness seems to be of a character to render them dangerous. An attempt was made by one of this class to take the life of the chaplain, which came very near proving fatal, and several of the guards were assailed, apparently with the same intent. This has induced the directors to authorize the preparation, within the prison walls, of a place for the confinement and care of convicts bereft of reason. But a prison is no place for the detention of these unfortunate beings. It is the duty of the State to make other and more suitable provision for their comfort, and, if possible, their restoration.

This prison has a female department, in which some fourteen or fifteen criminal women are confined. On this subject the directors say: "Each year's experience only the more fully and firmly confirms us in the opinion that this class of convicts should not be kept in the same building with male convicts, nor even within sight or hearing;" an opinion in which they are supported by the judgment of the highest authorities on prison discipline.

An improvement of great value should be noted in this review. It is described in the following extract from the warden's report: "Within the year, a stationery steam fire-engine, with six hundred feet of leathern hose and fittings, with a capacity for throwing one thousand gallons of water per hour, has been purchased. This, with other improvements and facilities which have been made, gives us facilities for preventing and extinguishing fires equal to, if not surpassing, those of any prison or public institution in the country."

The physician attests that particular attention has been paid to the food issued to the convicts; that it is sound, fresh, wholesome, and properly cooked; and that the bedding, clothing, and personal cleanliness of the convicts have been satisfactory.

2. *Indiana State Prison, North.*

There was a change in the administration of this prison near the

close of the first quarter of 1867, so far as the Board of Directors and the Warden were concerned, the subordinate officers being all retained, except the deputy-warden, in whose place one of the under-keepers was appointed. The Chaplain, Rev. H. C. Skinner, died only a few weeks before the end of the fiscal year, and a successor had not been appointed, so that we are without any report in his department, which leaves an important gap in our information, as the Chaplain was both religious and secular teacher.

The reports of the directors and warden are mainly devoted to an exhibition of the finances of the institution. These appear to be in quite as sound and healthy a condition as those of the southern prison, perhaps even more so. With an average (estimated) of 245 prisoners, the total expenditures for the year amounted to $49,862 and the total earnings to $42,122, leaving as the excess of expenditures $7,740. But this, in justice to the present administration, requires explanation. During the first quarter of the year, under the old administration, the expenses were $16,587, and the earnings $6,534, giving an excess of debits to the amount of $10,053; whence it follows, that, while the expenses of the last three quarters were $33,275, the earnings were $35,588, thus placing the balance on the other side of the account and showing an excess of earnings amounting to $2,213. But this statement, left without any explanation, is, upon its face, too favorable to the new officers. Five thousand dollars ($5,000) of the receipts during this period accrued from the payment of that sum by the sureties of a contractor who had failed, which again places the balance against the prison, but only in the trifling sum of $2,787. This is a remarkable gain on the previous year, when the deficit was in the neighborhood of $25,000. It is not without reason that the directors regard their exhibit of receipts and expenditures as a fair basis for the hope that the prison may shortly become self-sustaining.

The contract system is in force here, the average price per day paid for the labor of each convict being a fraction less than sixty cents.

Notwithstanding the favorable state of the finances, as set forth above, the directors say of the convicts: "They were as well fed and clothed, and as bountifully supplied with everything necessary to their comfort, and not inconsistent with the paramount idea of discipline and punishment, as they had ever been before; and they are now in as good a condition as any like number of the inmates of other prisons."

The large number of prisoners confined here of a youthful and even boyish age is thus feelingly and justly alluded to by the warden

in his report: "I feel it my duty to call your especial attention to the many juvenile offenders connected with this prison. Many, very many of them, have hardly entered their teens; they are of necessity placed on the same footing, and are, in a manner, associates of some of the most hardened and desperate men that ever were inmates of an institution for the punishment of crime. I feel that this is no suitable place for such boys and some of the young men now here." He goes on to recommend that such as are adapted to the newly organized House of Refuge, be transferred to that institution. But that does not meet the exigency. The case, as stated by him, is another voice added to the many which are already, in all our States, calling for the creation of a new class of prisons, designed for and adapted to that large body of law-breakers, who are too old for our reform schools and too young for our State prisons.

Nothing is said in the reports of either of the prisons of this State concerning the character of the discipline practised in them, other than that it is strict and effectively maintained. I therefore take leave to introduce a short extract on that subject from the letter of an eminent citizen of Indiana. It is in these words: "My attention has been turned to our State prisons. I have visted both, but cannot say much favorable to either, especially that at Jeffersonville. It is the old story of the evil effects of party control, the contract system, the lash (indiscriminately and *freely* used on both men and women!!) unsuitable officers, unhealthy and totally unfit cells, and untold cruelties and hardships. One's heart burns to tear up and reform the whole concern. But we must proceed with wisdom and caution. Governor Baker is an excellent *christian* man, and will coincide in and recommend any reasonable and judicious measures of reform. We think best to keep quiet until our Legislature meets, in January next, when we hope to procure the passage of some law to ameliorate the system. Would you recommend a society like yours? If so, would you enlarge its powers so as to give it authority to correct evils? I shall be glad to hear any suggestions from you. Our county jails are terrible. The reform of them must be gradual; it is necessary to keep public opinion up to proposed changes. We are also working for a female prison and female reformatory. They are greatly needed." Another letter from a citizen of Indiana, occupying a distinguished position, says: "A great reform is needed in the management of our criminals, and I am *anxious* to learn what plans have been tried and with what effect elsewhere. I shall be greatly obliged for any assistance in this matter."

KANSAS.

The State Penitentiary of Kansas, which has its seat in the city of Leavenworth, is still in an inchoate and formative state. The report for 1867, a pamphlet of seventy pages, is the first ever published. The papers contained in it are the annual reports of the Board of Directors, the warden, deputy warden, architect, physician and chaplain, the rules and regulations of the prison, an inventory of property, and sundry tables of statistics. Together they constitute a document of much ability and interest, very creditable to the authorities, and, in many respects, though not in all, highly satisfactory.

The buildings in which the prisoners were lodged at the date of the report, November 30, 1867, were but temporary structures, though it is probable, that, by this time, a part of the permanent buildings have been completed, and are now occupied by the inmates.

The permanent buildings seem to be progressing with all due celerity, under a competent architect. That gentleman is of the opinion that nearly or quite all the work necessary in the erection of the prison may be done by the convicts themselves, under the instruction and guidance of suitable foremen. He says that their progress in acquiring the various handicrafts requisite for this has exceeded his expectations.

It is estimated that the prison, when completed, upon the plan adopted by the State, will have cost $1,500,000, and, it is affirmed, will be "one of the finest and grandest in the country." What wasteful, not to say ridiculous, extravagance! Supposing the number of cells to be 1,000, they will each have cost $1,500. At the rate of interest paid in the Western States, this will give, as the annual cost of rent alone for each convict, $150 — an amount greater than the whole cost of a convict in Connecticut, including rent, subsistence, clothing, officers' salaries, etc. It is gratifying to note the sentiments of the present Board of Directors on this subject. They wash their hands of all responsibility in the matter, by saying: "We are satisfied that, had the money that has already been spent upon the institution, contemplating, before final completion, the expenditure of one and a half million of dollars, been judiciously applied to the construction of a building suitable to our present wants, the present condition of our people, and our finances, it might have been easily finished, with its shops and other necessary adjuncts, and would have been sufficient to meet the public demand for a quarter of a century. But for this, neither this Board nor the present or prior State administration, are responsible. Former Legislatures, in their wisdom [folly would have been the fitter term], have decided upon the existing plan; and this Board will continue, as it has done, to do

all in its power to carry the work forward to a rapid and successful consummation. We only ask that our legislators will place the responsibility of large expenditures in the erection of the prison where it properly belongs."

The finances of the prison seem to be in a somewhat confused state, owing probably to the fact that the whole order of things, as before stated, lacks the consistency and system, to which older institutions have attained. There is, moreover, considerable difference of opinion between the directors and the warden as to the best system for obtaining supplies, which tends still further to complicate and unsettle matters. The administration of the prison was changed about the middle of March, when three and a half months of the financial year had expired. Previously to this, quite a number of the prisoners had been kept in the Leavenworth and Lawrence jails, at an expense for boarding of one dollar per day, though earning nothing; and those in the State Prison had been kept in total idleness through the entire winter, while their feed alone was costing seventy cents a day for each prisoner. The expenses for the whole year are thus given in the report:

"*Total expenditures for year.*

From December 1, 1866, to March 12, 1867,.....		$12,719 67
From March 12, 1867, to Nov. 30, 1867, as follows:		
Building fund account,.....	$5,531 34	
Current expense and salary account,.....	52,913 61	
Directors' salary and mileage,.....	354 10	
		58,790 05
Total expenditures,.....		$71,509 72"

Deducting the item of $5,531.34, set down to building fund account, there is left, as the current expenses proper for the year, the sum of $65,978.38. The directors give the earnings of the prisoners thus, the average number in confinement being 105.

"The estimate of the value of the convict labor other than that let to the contractors,* would be, at a fair valuation, as follows:

Kitchen department, 1,439 days, at $1.50,.....	$2,158 50
In and around the prison and yard, 7,900 days, at $1.50,.....	11,850 00
Labor in shoe shop, 1,825 days, at $2.00, ...	3,650 00
Labor in tailor shop, 700 days, at $2.00,.....	1,400 00
Labor on yard and wall (masons), 679 days, at $3.00,.....	2,037 00
Labor in stone quarry, 1,662 days, at $2.00, ...	3,324 00
Labor in grading the Penitentiary yard, 1,096 days, at $1.50,.....	1,644 00
Labor in stone-cutting (average), 369 days, at $3.00,.....	1,107 00
Labor in hauling sand and miscellaneous, 810 days, at $1.50, ...	1,215 00
Add labor to contractors, ...	3,840 60
Total, ...	$31,226 10"

* By "contractors" here, are not meant persons who hire the labor of the convicts for manufacturing purposes, but the firm of Flory & Caldwell, contractors for the erection of one of the prison buildings.

It thus appears that the excess of expenditures over earnings was $34,752, disregarding the fractions of a dollar, and that the cost *per capita* was $628. This is an average cost for each prisoner, more than five times greater than that of Connecticut prison, and exceeding, by a very considerable sum, that of any other prison in the United States, so far at least as their statistics are known to the writer.

This is, in part at least, explained by the warden, Mr. G. H. Keller, in the following extract from his report: "To make the prisoners earn their living, or do as near that as possible, to the end that it shall cost the State as little for their support as possible, has been my constant study since I have been warden. The expenditures for the prisoners have been largely more than the receipts from the same source; a very grave reason therefor is, that the law under which the prison is governed is so cumbersome, so dividing in power, and so indefinite in its provisions, it seems almost impossible to rigidly economize to that degree that should give satisfaction to the entire State, and from its vagueness often leaves the acts of individuals in power open to criticism not favorable to their fidelity to their oath of office. The system by which the prisoners are now fed, though recognized by you as the one prescribed by law, seems to me to be prodigality in the extreme. As I have indicated in my monthly reports heretofore, it has cost the State from twenty to forty dollars per day for the services of the contractor who feeds the prisoners; that is, the raw material delivered at the prison costs but little more than half what the contractor gets for feeding them, while the contractor only superintends its preparation for consumption, the work being performed by the prisoners. The contractor's superintendence is superfluous, for the reason that the State already has officers sufficient in number now under pay from the State, who could without interference with their duties, do all that is now done by the contractor."

These are wise and weighty words. Nor less so are the following in regard to the maintenance of discipline: "Strict discipline cannot be enforced where there is a diversity of power, and the individuals entrusted with that power differ in opinion. The warden who is charged with the maintenance of good order among the prisoners should have absolute control over the officers under him, and they failing to comply with his orders, he should have the power to discharge them when necessary and fill their places with others, and his decision should be absolute and final. This I regard as of the utmost importance for the future welfare of the discipline of the institution."

That these views are sound, experience has abundantly attested.

The following gratifying statement is found in the report of the deputy warden, Mr. Henry Hopkins: "The convicts, with but very few exceptions, have performed the labor assigned them as readily and effectively as though they had been employés of the State, instead of convicts. Indeed, I have no hesitation in saying that they have accomplished quite as much, if not more, than the same number of men employed and paid laborers' wages."

The greatest part of the convict labor will be needed for some years to come in the erection of the prison buildings. Still it is proposed to organize several departments of labor on State account to manufacture articles for sale outside, for which there is a great demand, partly for the profit that will thence accrue, but more to the intent that "each convict may be taught some useful trade, in which he may engage when the time of his sentence shall have expired." This is a wise and far-reaching policy, by which the State, though it may thereby lose some dollars for the present, will be a gainer in the end, as well pecuniarily as morally.

The chaplain, Rev. D. P. Mitchell, appears to be emphatically "the right man in the right place"; earnest in spirit and abundant in labors. His report is so fresh and vigorous, and withal so interesting, that I do not hesitate to make somewhat copious extracts. This is the way in which he talks:

"The general conduct of the prisoners, when compared with that of other prisons, has been very good. But few, comparatively, have been reported for violating the prison rules, and but very few have been punished at all, and none severely. The prison having been without a responsible Chaplain up to the time of my appointment, the convicts were supplied with a very great variety of intellectual and moral food, descending from the Bible to the Police Gazette, according to the tastes of the prisoners and their friends. With the advice of the officers of the prison, I collected and separated this reading matter, destroying the worthless and vicious, and rebinding and covering the good. To these were added a large number of large-print Bibles and Testaments, about two hundred (200) bound volumes, and forty (40) religious weekly newspapers. The books have been selected with special reference to the intellectual and moral culture of the prisoners, and I am happy to say, that they have been read with great avidity, and preserved with special care as the books of the 'Union Library.' Some of the prisoners have manifested a great desire to improve every leisure moment in adding to their stock of literary knowledge. To aid them, I purchased school books suited to their several conditions, and fur-

nished them such instructions as the circumstances of the case would admit.

"Religious services have been held nearly every Sabbath, and frequently during the week in the evenings. I have conversed very frequently and plainly with the prisoners, touching all that pertained to their present and future welfare, have written a great number of letters to their friends and relatives, and did what I could to secure them employment when discharged from prison. I am very happy to report that my labor has not been in vain. A number of the prisoners have professed a change of heart; about thirty have associated themselves together as Christian brethren on the basis of the Apostles' Creed, and have united with the prison church; thirteen of these were baptized, and to the whole was administered the sacrament of the Lord's Supper. Meetings for prayer and religious conversation are now regularly held in such places as can be secured from time to time in the different departments of the prison. I believe a large majority of the prisoners are desirous of religious instruction, and are susceptible of religious influence, and, with proper treatment, will make useful citizens. But very few manifest that reserved and hidden character which we meet so frequently among the confined criminals in the older prisons of the country. The mass are willing to tell you with great frankness who they are, where they are from, and what they did, and so impress you at once with the fact that they are not old in crime and confirmed in a state of wrong doing. Absence from home, the exciting circumstances of the war, the false idea that 'jayhawking' was not a crime, and the ever baneful influence of intoxicating drink, were the chief causes of all the crimes which sent the convicts to prison.

"I would recommend that at least five hundred dollars ($500) be appropriated from the prison labor to add to the library the coming year. I firmly believe that just in proportion as you increase the intelligence and morality of the prisoners, you will not only diminish the cost of the guards, but the number of prisoners and the aggregate crime in the State. Judging from the experience of the past year, I can see no reason why the great majority of the prisoners may not become true Christians, and go out to bless their friends and become useful citizens of the State. Let them once feel, as I believe the great majority of our prisoners do, that they are well fed and well provided with clothes and bedding, and that neither the State nor the officers of the prison are making gain of their misfortunes, but are treating them, in all respect, as well as the circumstances of the case will admit, and they are just as open to conviction as any other class of transgressors, and just as likely to reform. There is



no class of men under heaven who should be dealt with more truthfully, honestly, and yet tenderly, than the inmates of a State prison. There is no place where the eagle's eye, the lion's heart and the mother's hand are in more requisition than here. Mere brute force will never reform the inmates of a prison or lessen their number.

"It is hardly necessary for me to state that the present salary ($500), is not sufficient to sustain a chaplain who is at all intellectually and morally qualified to fill so responsible a station. Nothing but the deep interest which I felt in the welfare of those unfortunate men, the solicitation of the directors and officers of the prison, and the confidence which I felt that I might have a genuine revival of religion in a State prison, and thus benefit the community generally, could have induced me to accept the situation. Yet, notwithstanding the inadequate support of the chaplain, more has actually been done, and, perhaps, with more positive results, than in any prison in the West. We feel a great desire to have, in Kansas, the best fed, the best clothed, the best governed and the best behaved prisoners in the nation; and, ultimately, the smallest number of them, in proportion to our population."

Go on, brother, as you have begun; and if you are supported by officers who work in the same spirit, with the same zeal, to the same end, and under the power of the same faith, you will yet reach the goal of your desires, and see the wished for object accomplished.

Kentucky.

The State Penitentiary of Kentucky is conducted on the leasing system, and it is almost, if not quite, the last refuge of that radically and incurably vicious principle. The whole concern—including the government, discipline, labor, food, clothing and bodily and spiritual health of the convicts—is leased to some party, generally the highest bidder, for a term of years, who contracts to pay an annual bonus to the State, and whose great aim is, and must be, to make the most he can out of his bargain. The present lessee is Captain H. I. Todd, who, if I am rightly informed, pays the State the aggregate sum of $28,000 for the use of the muscles and sinews of the convicts for four years, and agrees to feed, clothe and govern them in return. The annual report of a prison conducted upon this plan will, naturally, be very meagre, containing a few statistical tables and the smallest modicum of general information. Captain Todd has the reputation of being an upright and humane gentleman. The latter quality would seem to be evidenced by the following extract from his report, which appears to have been dictated by good feeling, and, certainly, contains a suggestion well worthy of the attention of the body to whom it is directed:

"It is a fact deserving the very serious consideration of the Legislature that a great proportion of criminals confined in this institution are youths. The records of the prison show the terrible fact that the—

Total number of convicts in confinement on the 31st December, 1865, was, ...	236
The total number received since that date,.....	666
Total, ...	902

"Of these, no less than 237 were between the ages of fifteen and twenty years, and 413 were aged between twenty and thirty years.

"To this the attention of the Legislature is most especially asked. The absolute necessity of devising some system of punishment for the young offender, which, while vindicating the law, will prevent the youth from becoming hardened in crime by association with old criminals, is, to me, so apparent, that I hope it will receive an early consideration at your hands. Under the present system there is no chance for the reformation of the young prisoner, and it is utterly impossible to prevent the example and society of older and more hardened prisoners from confirming him in vice and crime."

Louisiana.

The documents relied upon for the following statements touching the State penitentiary of Louisiana, are the annual report of the Board of Control for 1867, and a letter under date of September 21, 1868, from Mr. R. H. Curry, superintendent and lessee of the prison.

The penitentiary appears to have been managed during the year 1867 on State account. The results, financially, as far as they can be made out from the somewhat confused exhibits of the board of control and the commissary or clerk, are as follows: Total expenditures, with an average of 225 prisoners, $72,108; total earnings, $13,295; excess of expenditures over earnings, $58,813. The estimated expenses for 1868 are $85,000; but the revenue from convict labor is not estimated.

Permanent repairs and improvements were made during the year, to the amount of $27,131, the buildings having been much injured and abused during the late civil war. The labor of the convicts was concentrated chiefly on brick-making, whereby bricks were obtained for rebuilding the cotton factory, and a considerable number were sold for cash in Baton Rouge and vicinity. Shoemaking was carried on to some extent, but from the want of capital to invest in material, the result was less satisfactory than it otherwise might have been. The board of control urge upon the Legislature the establishment of a shoe factory on a permanent basis, and the construction of a tannery within the prison grounds, to facilitate the prosecution of this branch of labor. They further ask an appropriation of $50,000 for the erection, furnishing and fitting up of spinning and other machinery in



the cotton factory, to work sixty looms, saved from the wreck of the old factory. These sixty looms are but a part of what it is said will be required hereafter, since the factory is capable of receiving two hundred looms, with the necessary spinning machinery.

Mr. Jourdan Holt officiated as warden in 1867. The discipline under his administration is stated by the board to have been well regulated. Indeed, they express the opinion that it could not be much improved. Mr. Holt and his co-laborers, it is affirmed, encouraged all efforts tending to the cultivation of self-respect in the convicts; fostered every aspiration in them to establish lost character; and, by counsel and persuasion, supplied them with motives to a better life. Through these moral agencies, re-enforced by "decided and certain punishment for disobedience," the convicts are reported to have yielded "a ready compliance with prison duties." The pastors of Baton Rouge preached in turn to the prisoners every Lord's day. On the subject of the moral and mental culture of the convicts, the board of control hold this language: "The inmates are well behaved and attentive during religious service, and the instruction and advice they receive cannot but have a beneficial effect, soften down asperities of character, and develop their better natural qualities. In mental exercise, the department could be materially improved, which would tend to benefit health and discipline. Our library is very poor, and all prisoners who can read highly prize the opportunity afforded them every Sunday and during idle hours, for reading an hour or two in the court yard around the cells. To keep the mind in a healthy moral condition, as well as to give useful information, judiciously selected books are necessary, and the annual appropriation of $100 for that purpose ought to be maintained and specially applied thereto."

So much for the state of the prison in 1867. Whatever may have been the character of the administration for some years preceding the date of the report, the institution appears to have been at that time working itself into a healthy condition, financially as well as morally. The labor was in process of organization in a way which held out promise of efficiency and productiveness, and the prison seemed to be nearing the point of self-support. The dominating ideas in regard to discipline were of the right stamp, and if the statements of the report are to be trusted, they were beginning to yield their appropriate fruit.

The whole system, however, has been changed since the publication of the report, as will be seen from the following extract from the letter of Mr. Curry, mentioned in a former paragraph:

"I have forwarded you by mail a report of the penitentiary for

1867. I will, however, remark that the institution was and has been since 1865, badly managed, owing to the unsettled condition and the poor credit of the State. It was leased to us on the 18th of March last for five years, and is now being worked under the lease and our private management and control. I now have 313 convicts, principally negroes; and they are constantly on the increase. I now have some 200 at work on the levees of the Mississippi river, but will withdraw them so soon as I can get my cotton and woolen factory in operation; also a foundry, machine and agricultural implement shop in proper working order. Whipping (slight), the principal mode of punishment, has been found to work best. Since the 18th of March, I have had but three deaths and four escapes from prison. I employ five chaplains of different denominations, who preach to the prisoners alternately. The condition of the prison and the convicts being very bad and in a most impoverished condition when we took control, our expenses have been large. Trusting that from this and from the report sent, you will be enabled to obtain the desired information, and with a promise to give you any other in my power, I am," etc., etc.

This letter is written in an excellent spirit, and there is no reason to doubt that Mr. Curry is an upright, humane and capable gentleman; perhaps the very best man for the position of warden to be found in the State, *with the institution conducted on another system.* But the principle of leasing a prison by the State for a money consideration, with its whole administration turned over to the lessee, *whose main object is and must be pecuniary gain*, is one which is liable to abuses of the gravest character. I am willing to believe that the present lessee will do as well by the prisoners and the State as any other man would or could, holding the same position. Nevertheless, I must be permitted to express my regret that Louisiana has seen fit to adopt this principle in the administration of her State penitentiary. My views on this subject are given briefly under the head of the Illinois State prison, and more at large in the Report on the Prisons and Reformatories of the United States and Canada, chap. 1, sec. 9, pp. 253, 255.

Maine.

Under the administration of its able and energetic head, Mr. W. W. Rice, the prison of this State, at Thomaston, has become, in some respects, a model institution. Mr. Rice is ever wisely intent on reducing to practice every idea in regard to prison discipline which holds out a fair promise of good results. For one feature in his administration he deserves especial praise. He makes it a cardinal



aim to impart a complete trade to every convict, who has the ability for its acquisition, and whose term of sentence is long enough to enable him to master it.

Prior to the accession of Mr. Rice, the contract system had been in use here, and had annually involved the State in a loss of many thousands of dollars. That system was abolished when Mr. Rice assumed the reins. The present mode of working the convicts may be best stated in his own words:

"The prison has been conducted on the same general system as hitherto during the time I have been in charge of it. The labor of the convicts is on 'State account,' and is used in the business of carriage-making in its various branches, and in the manufacture of boots and shoes. The warden purchases the stock for the several departments, and, with such assistance as may be necessary, disposes of the manufactured articles. One or more overseers are employed in each of the several shops, who are instructors as well, and the convicts all learn a trade to a greater or less extent, according to their natural tact, or the length of their term of service. Those who remain here as long a term as is required to learn a trade outside the prison, become skillful workmen, and nearly all acquire some knowledge of a trade that may be of use to them after they are discharged from prison. Very few, indeed, come here who are passable workmen at any kind of mechanical business."

During the four years of Mr. Rice's administration preceding 1867, with an average number of prisoners of less than a hundred, the prison not only paid its way, but earned a surplus, in the aggregate, of some $6,000 to $8,000. This year it fell behind to nearly an equal amount. This fact and its explanation are thus given by Mr. Rice:

"The sales of manufactures during the year amount to the sum of $41,549.35, the net income of which is $17,788.94, while the running expenses of the prison for the same time amount to $14,456.15, and the officers' salaries $10,264.03, making a total expense of $24,720.18, and showing a balance against the prison of $6,931.24. I am not very much surprised at the result of this year's operations, for I could not but be aware that the crowded condition of the prison, especially during the winter and spring, together with the confusion and insecurity incident to building to the extent we have during the season, must result unfavorably to manufacturing operations in an institution of this kind. Still, but for the general depression of business and some decline in the price of stock on hand, with the increased cost of most kinds of provisions used in this prison, the deficiency would have been much less."

The movement of crime in the State is exhibited in the following passage from the warden's report:

"For the last two years there has been an unusual number of convicts sentenced to State prison in this as well as other States. The number in 1866 in this State was ninety-three. This year but sixty-three have been sentenced to this prison, about two-thirds as many as last year. It is a gratifying fact that crime as indicated by the number of convicts sentenced to this prison, has decreased about thirty-one per cent in this State during the past year; and I am happy to believe that the next year will show a diminution of equal ratio."

On the sanitary condition of the prison, the physician remarks:

"Hygiene receives the attention its importance demands. The clothing of the convicts is well adapted to the various seasons, and whenever any peculiar constitutional susceptibility (as rheumatism) requires a modification of the kind of labor or character of clothing, suggestions from me upon these points are readily adopted by the warden.

"The food is well prepared, and from material of good quality. Bathing is recommended, and a large proportion of the convicts avail themselves of the facilities afforded for that purpose."

There is one feature in the administration here which, as the officiating clergymen declare, is "discreditable to both the humanity and christianity of the commonwealth." There is no stated chaplain, his place being supplied, certainly as well and effectively as such a lack *can* be supplied, by the several pastors of Thomaston. These gentlemen themselves censure, in strong terms, but not too strong, the penuriousness which dictates such a policy. On this subject the warden, with his customary good sense and right feeling, speaks in this language, in his report for 1866:

"I think something more should be done for the moral and intellectual improvement of the convicts, particularly of the more youthful of them, than has been done hitherto, or *can* be by any clergyman having at the same time the charge of a church and parish. Most of those who come to this prison have had very poor, if any, common school advantages, or improved them if they had. They are eager to learn after they get here, and a very large proportion of the ninety-three received the past year are very young, mere boys, sixteen being less than twenty years old, and twenty others ranging between nineteen and twenty-three. Three-fourths of them have served in the army, and only five are here for the second time. The Legislature should provide for the appointment of a chaplain who should give his whole time and ability for the moral and intellectual improve-



ment of the convicts while in prison, and in aiding them to get employment when they leave; and I fully believe that pecuniarily, even, the State would in the end be the gainer thereby."

It is pleasant to know that the good work, for which the Legislature is here urged to make provision, is not even now wholly neglected. This we learn from the following statement in the report of the officiating clergymen:

"The warden's wife has continued her philanthropic and self-sacrificing efforts to supply any lack of service to the sick, and instruction to the most ignorant. She has superintended the care and enlargement of the library, indited many an epistle for the unlearned to their friends, and administered to the necessities of the convicts in other ways, which a true womanly heart will find out. This labor of love should not be compelled by a State so well able to care for its institutions as ours."

Since writing the above, I have received a letter from the warden, which contains statements so interesting and views so important, that I give it in his exact words: "Of the convicts committed to this prison, about ninety-three (93) per cent have no trades when committed; six per cent cannot read at all; forty-four per cent can *barely* read and write very poorly; fifty per cent read and write quite well, some very well. At least eighty-five per cent have been intemperate, which I think is about the proportion that would not have been here but for rum. Since I have been in charge, now over five years, I have discharged two hundred convicts, only seven of whom have returned to prison, and but two of the seven had learned a trade when discharged, and one of them had served three terms then. If convicts were obliged to remain in this prison at least two and a half or three years, all that have any capacity would go out with a good trade; and in my opinion not over two per cent would ever return to this, or enter any other prison as convicts."

Maryland.

No one can read the report of the Maryland penitentiary for 1867 without forming a high opinion of the ability, fidelity and boldness of the men who are intrusted with its administration; and this remark applies equally to the board of directors and the warden. Evidently they are men who conceive aright of their duty, and are competent to the discharge of it. If the Legislature fails to be impressed by their arguments and moved by their appeals, they will show themselves to be a most unimpressible and unsympathetic body.

The contract system of labor prevails in this prison. Of the 679

convicts in confinement at the date of the report, only 368, forty of whom were women, were under contract. The remaining 311 were wholly unproductive, and, with the exception of a very few, were but a burden to the State. Such being the condition of things as regards the labor of the convicts, the financial showing is highly satisfactory. While the total expenditures were $101,506, the earnings amounted to $72,985, leaving a deficit of $28,521. But some eight or ten thousand dollars of this sum were due to the cost of certain permanent repairs and improvements, not properly belonging to the department of current expenses, so that the real deficiency does not exceed (say) $20,000. This is the more remarkable as a full third of the prisoners are sentenced for terms of two years and under, and quite a number for periods of ten, six, five, three, and even two months; so that the warden states in his report, that "they can learn nothing whatever; and, yet (he adds), at the end of these short terms, we give them a new suit of clothing, and two dollars in money." Thus "this class, with others, who, from old age or infirmities, are incapacitated from labor, consume the fruits of the healthy or working class."

The prison, as it now stands, was constructed for the accommodation of not more than half the number of convicts, who, at present, crowd it to repletion. The discomfort, unhealthiness, and demoralization resulting from such overcrowding, are thus vividly sketched by the warden:

"With a prison, originally built for the accommodation of from 600 to 650, we are compelled to make room for near 700, which will be increased by the middle of January, beyond the shadow of a doubt, to over 750.

"Now, the question arises, where are they to be put, or what is to be done under the circumstances? We have now used every available place to be found about the prison that could in any way be converted into sleeping apartments, using for that purpose cells long since pronounced as being unfit for the occupancy of any human being — they being all under ground, and so damp that the water may be scraped from the walls by the hand; and at no time can we sleep even the strongest of our prisoners but for a limited period, when we have to take them out and put others in their places; or, in other words, as their health becomes impaired, we have to change them with the more robust; while, in another building, known as the 'Old Building,' which is altogether unfitted for a prison, we are sleeping nine each in rooms 18 feet long by some 12 feet wide; while in another room, known as the 'Old Chapel,' measuring 49 feet long by 45 feet wide, we have no less than one hundred and

sixty (160) packed, not being able to take into consideration even their youth or crime. [This gives 13½ square feet to each, scant space to bury him in.]

"With this state of things staring you in the face, how is it possible for the Maryland Penitentiary to become a reformatory school? Is it not more likely to become a school where old and hardened criminals may still further poison the minds of the more youthful; and on Sabbaths, and evenings during the week, when they have nothing else to occupy the mind, are not embryo plans formed for more heinous crimes, to be perpetrated in the future, after their present sentences shall have expired?"

After this statement, we are amazed to be told that "no epidemic of any kind has prevailed," and that there were only two cases for treatment in the hospital, at the date of the report.

The directors close a forcible argument for the enlargement of the dormitory accommodations of the penitentiary, in these manly and earnest words:

"The present Board of Directors presume to say that, in their judgment, the promptings of a common humanity suggest, that, if crime in Maryland is to be punished by incarceration, confinement should, at least, be made tolerable or supportable. They feel in this matter that, if they failed to solicit, through your Excellency, the Legislature of the State to provide by State appropriation for the building of a proper dormitory for the Institution, and, on account of their delinquency in that respect, the building should not be erected, and a malignant epidemic should make its incursion into the prison and work its ravages in consequence of the crowded condition of the sleeping departments, they would have a heavy charge of official dereliction to lay to their own account."

The following statistics, with the accompanying comments, may well arrest attention:

"On the 30th November there were in the Institution:

	Whites.	Blacks.	Total.
In 1862,.....	260	89	349
In 1863,.....	289	122	411
In 1864,.....	258	129	387
In 1865,.....	237	195	432
In 1866,.....	306	330	636
In 1867,.....	291	388	679

"It will be perceived, from the foregoing, that there were but thirty-one white persons more in the Institution at the end of the present fiscal year than there were five years since, while the number of black prisoners has been more than quadrupled within the same period, and nearly doubled within the last two years.

"The history of the ingress of convicts into this institution, for the year just closed, is truly suggestive, if not startling. The unpre-

cedented and astonishing number of three hundred and sixty-seven entered the prison during the year, of which two hundred and twenty-three were colored. One hundred and seventy-five of the latter were males and forty-eight females."

On the state of facts as thus set forth, the directors, with equal wisdom and humanity, found the following suggestion and argument in reference to the propriety and necessity of a colored reformatory:

"The instituting of the 'House of Refuge' for the reception of juvenile infractors of the law has, doubtless, operated to prevent the increase of white convicts. Measured in fact by the increase of population, there has been a diminution in the proportion of white prisoners. This may very rationally be attributed to the influence of that institution, and the facts and arguments in this connection are suggestive to every intelligent mind. If similar provision should be made for offending juvenile colored persons, much crime in the future might be averted. For the want of a house of reformation, and because consignment to the penitentiary for petty criminal offences upon the part of these has been considered a punishment too severe, and not at all expedient, it has been the practice of grand juries after the imprisonment of such in the city and county jails, to order their release. They are thus turned loose with their proclivities unbridled, the subjects of new vicious temptations, to become in many cases hardened adepts in crime, and to find ultimately their way to the penitentiary. Colored youths would be less burthensome to a reformatory institution than are white offenders, because the former could the more readily be bound out in agricultural districts where their services are needed, and where temptations to vice and crime are not imminent, and reformation is more sure than in populous towns. Looking at this subject in its influence prospectively, and particularly in view of the new condition of the black population of the State, it challenges, from considerations of benevolence as well as of security of private property, the attention of those who shape the legislation of the State."

That the views of the directors are in harmony with the spirit and judgment of the times on the subject of prison discipline, is evinced by this passage from their report:

"Believing further that the offended law measures out its punishment to the offender, they have not considered it within their province to render the culprit more wretched than the loss of personal liberty, and a subordination to rigorous prison discipline, would seem to require; and thus believing, the directors have, in the matter of substantial prison fare at table, and comfortable clothing for those placed in their keeping, done all, with a rational regard for economy,

which civilized humanity enjoins. The very healthy physical condition of the prisoners, and their cleanly and comfortable appearance demonstrate the effect of humane treatment. There is, in the seemingly vilest of poor humanity, something of appreciation as well as of goodness, and the excellent condition of subordination exhibited throughout the prison for the past year evidences that the rigorous exactions or penalties of the criminal law may be tempered with mercy, and that kindly offices are not thrown away upon hearts deemed callous by association with crime."

The passage of a commutation law, securing to the convict a diminution of his sentence as a reward for good conduct, is pressed upon the Legislature by the warden in this as it had been in several preceding reports. He urges it as an auxiliary to prison discipline of inestimable value, and then adds a remark which will have a special interest for the members of the Prison Association, since the law referred to was enacted through efforts made to that end by its Executive Committee. He says:

"In our own prison, I find, from personal experience, that convicts sent us from the United States Courts give little or no trouble whatever. All of them, so far as I know, have claimed and received an abatement of time on account of their good conduct, and in accordance with the laws of the United States."

He then avows his faith in the power of moral forces in this curt but strong language: "I believe such a law would forever abolish the lash in this Institution."

The report of the physician contains this interesting statement: "The prisoners were allowed recreation of one hour in the yard during the summer months after their work was completed, which I think greatly benefited their health."

It is to be regretted that the moral effect is not stated as well as the sanitary; and especially that no details are given as regards the kind of recreation permitted, the restrictions under which it was enjoyed, or the conditions, if any, on which a participation in it could be had. It would have been gratifying to know whether it was made, to any degree, an instrument of discipline.

The pastors of the city churches conduct the Sabbath services of this penitentiary, there being no stated chaplain; a fact as discreditable to the State of Maryland as the same is to that of Maine.

But, if the fact stated in the preceeding paragraph is discreditable to the authorities of Maryland, that mentioned by the warden, Mr. Horn, in the following passage of his report, is no less creditable to the Christian people of Baltimore: "Our Sabbath schools have been quite a feature in the institution; the prisoners seem to take a great

interest in them; and I find that the deportment of the prisoners is the best eulogy that can be pronounced upon the self-sacrificing Christians having them in charge. The male department is under the charge of Mr. William A. Wisong, and the female department, of Mrs. Hyde, each with a corps of able and zealous assistants. May God speed them in their labor of love."

The attention of the Legislature is very properly directed to the insane convicts confined in the penitentiary, the number of whom, though apparently considerable, is not given in the report. There is no special apartment in the penitentiary for their accommodation. They have to be kept in a dormitory where three hundred other prisoners sleep, who, though obliged to work hard in the day, are often kept awake during the greater part of the night by the wild ravings of these maniacs. The Legislature is urged to make provision for this class either "in the Maryland Hospital or some other insane department in the State," on the ground that justice to them and to the other prisoners, as well as considerations of humanity, require it.

Massachusetts.

Never, during the sixty-three years of its existence, has the prison of this State made so favorable an exhibit as that for 1867, whether its condition be viewed from a financial, moral or intellectual standpoint. Its distinguished and able warden, the Hon. Gideon Haynes, is still intent upon progress, and seems resolved not to be out-done in the march of improvement by any of his compeers in any part of the country. But he has competitors in this race whom it will be hard to distance, and he must look to his laurels.

The financial showing is all that need be desired, though a better is promised for the year 1868. With an average of 537 convicts, the total expenditures were $101,346, while the total earnings were $123,697, showing a net profit of $22,346. This result was achieved under the contract system of labor; but the average rate of compensation approaches one dollar a day for each prisoner, and is greatly in advance of that paid in any other American prison; while Mr. Haynes holds the system more thoroughly in hand and has it under a more complete control than most other wardens.

The discipline of this prison is firm but humane. The self-respect of the convict is fostered and an effort is made — I will not say as comprehensive or effective as would be desirable, but still highly praiseworthy — to give back to him his manhood. The old parti-colored dress was discarded several years ago and its place supplied by a decent suit of uniform color, with manifest advantage to the moral tone of the institution. Prison holidays were also introduced



here even earlier than the reform noted in the last sentence. These are occasional seasons of recreation for two or three hours in the prison-yard given to the convicts, in which all restraint is lifted, and they are permitted to engage in various sorts of athletic and other games, and also in free conversation with each other. These holidays have now become an established institution in the prison, and they are found to be an important aid to discipline. They are eagerly anticipated by the convicts, and form the green spots in their prison life, "the oases (as the warden happily expresses it) in the great desert of silence and monotony, with which they are enshrouded."

A new feature was introduced into the discipline last winter, consisting of a series of eleven practical lectures on practical or otherwise instructive subjects, given on one of the evenings of as many successive weeks, by gentlemen who volunteered their services for this purpose. The experiment proved a complete success. The lectures awakened thought in minds little used to thinking, gave birth to aspirations before unfelt, and caused an unprecedented recourse to the prison library for books on the subjects discussed by the lecturers.

During the summer a fair was held at the prison, for which all the articles were contributed by the convicts, and all made by them in their own time. The object was to obtain funds for the purchase of an organ for the prison chapel. The amount needed—$550—was realized, while many times five hundred dollars' worth of moral benefit accrued to the convict donors, in the reawakened self-respect felt by them, and in the consciousness of good done through their benevolent exertions.

For the last ten years the only punishment in use here has been the dark cell. Mr. Haynes now proposes to abolish this, and to substitute for it moral agencies alone in the discipline of the prison. For conduct and industry perfectly unexceptionable, he would give the prisoner one good mark each month, and for the opposite qualities one bad mark. For every good mark he would have a deduction from his term of service of a number of days equal to the number of years for which he was sentenced, not however, in any case, to exceed ten; and for every bad mark he would have the same number of days added to his sentence, in lieu of the time now passed in the dark cell. For every month in which neither good nor bad marks were received, nothing should be gained or lost. The plan includes the investing of the warden with authority to bestow additional good marks on Christmas and other fitting occasions, for conduct that might have been conspicuously meritorious. It also requires that no pardons be granted but upon the recommendation of the prison

authorities, and that all pardons issued be revocable for cause, at any time before the original sentence should expire. The reconviction of a pardoned convict should involve the obligation to serve out the unexpired term of his first sentence; and the reconviction of a convict regularly discharged should carry with it the addition to his second sentence of the time gained on his first. A third conviction to be followed by a simple sentence of imprisonment — said imprisonment to be unlimited in its term, and to continue at the pleasure of the government — that is, as it is to be presumed, till the government has reason to believe that the prisoner is reformed, and therefore a safe person to go at large. These suggestions, the product of a calm, enlightened and thoughtful mind, are worthy of a deep and earnest study. They are a step, and a very long one, toward the substitution of reason for force, of moral for material agencies, in the government of criminals. In one point they go even beyond the Irish system, viz.: in proposing that, under certain specified circumstances, time sentences should be replaced by sentences whose only limit is the reformation of the imprisoned, ascertained of course by reliable tests.

The Charlestown prison has a library of 1,700 volumes, selected with a careful and wise discrimination. It is intended for the officers as well as the prisoners, and is much and profitably used by both.

There is a large and efficient Sabbath school, which all attend who will, and which is conducted by competent teachers from the various churches in Charlestown.

Of the Sabbath services the inspectors say:

"The meetings upon the Sabbath are quite interesting; the warden sits on one side of the chaplain, and the deputy warden opposite; the other officers of the prison sitting in prominent positions each side of the chapel. A number of visitors are frequently present. There is an organ in front and a choir of singers composed of the prisoners. The entire exercises are conducted with perfect order and decorum. The audience manifest an interest in the chaplain, Rev. Mr. Carlton, who is an earnest and faithful preacher."

Mr. Carlton, himself, thus states the various religious influences brought to bear upon the members of his charge:

"Personal conversation, more or less protracted, according to the varying circumstances of different cases; Sabbath school instruction, by teachers who feel their responsibility, and are much interested in the welfare of the taught; Lord's day preaching in the chapel, either by the chaplain or some brother minister with whom he exchanges (or some good Quaker sister who occasionally desires to address the prisoners); week day services, consisting of reading the Scriptures,



sometimes with exhortatory remarks, or relation of some fact or anecdote calculated favorably to impress the minds of the men, with prayer and singing; distributing tracts and small books, and such religious papers as the 'Christian,' 'Tract Journal,' 'American Messenger,' 'Sunday School Advocate,' 'Macedonian,' 'Youth's Companion,' 'Sabbath School Times,' etc.; reading the Scriptures, conversation and prayer with the sick in the hospital; placing the blessed word of God in every cell, including Italian, Portuguese, French and German Bibles as well as English;—*these* have been the chief means used during the last, as in former years, for the benefit of the men committed to our spiritual oversight; and it is a source of gratification to be able to say, that they have not been used in vain, or without indications of some good, to say the least."

I regret to be obliged to report that a prison, so well arranged and managed in most respects, has no school for secular instruction. This is a material defect, not at all to the credit of the old Bay State, which, it may reasonably be hoped, will be remedied without a long delay. Let the authorities here see to it that their institution lose not its rank as the "Banner State Prison" of the country, as it surely will, unless attention be speedily given to this matter.

I ought not, perhaps, to close this sketch without mentioning a fact, showing the high mechanical skill attained by the convicts. The Tucker Manufacturing Co., which contracts for a large portion of the prison labor, received a silver medal at the late Paris exhibition for bronzed iron work manufactured in the prison. The Emperor of France and the King of Prussia were so well pleased with the beauty and finish of the workmanship, that they made extensive purchases at the time; and orders have since been filled for the same sovereigns, as well as from mercantile firms and private citizens, in almost every part of Europe.

Michigan.

The report of the inspectors of the State prison of Michigan for 1867, including those of the warden and other officers, contains some valuable statistics, but little other information of general interest.

The total expenses of the year, other than those for building purposes, were $82,608, and the total earnings were $57,857, showing an excess of expenditures of $24,751; the average number of prisoners being 531. The total earnings for 1867 exceeded those for 1866, in the sum of $17,337, while the deficiency for 1867 was less than that for 1866, by fully $30,000. This shows a gratifying improvement in the finances of the prison, which are likely to be still further improved in the year 1868. The labor of the convicts, which had

been let to the contractors at a very low figure, has recently been re-let on more advantageous terms; but still, in my judgment, for less than it is fairly worth.

Important improvements and additions have been made to the prison buildings.

The authorities of this prison do not appear to be very progressive in their ideas in regard to prison discipline. They incline, I judge, to the severe system, the lash being still in use as a main instrument of discipline. Yet the following sound thoughts, in harmony with the growing sentiment of the age, are found in the report of the inspectors: "We do not pay attention enough to the cultivation of the moral and the religious character. The salary of our chaplain is too small; six hundred dollars will not command the talent demanded. As in matter, there is no state of rest; so in morals, we are growing better or we are growing worse. These men are confined in prison, for the most part, for short terms; they will soon again mingle in the broad avenues of society, either better or worse men. It is our duty, then, while we would protect society, to spare no effort for their reformation."

A Sabbath school is statedly maintained in this prison; but it was intermitted for a part of the year, though for what cause is not stated.

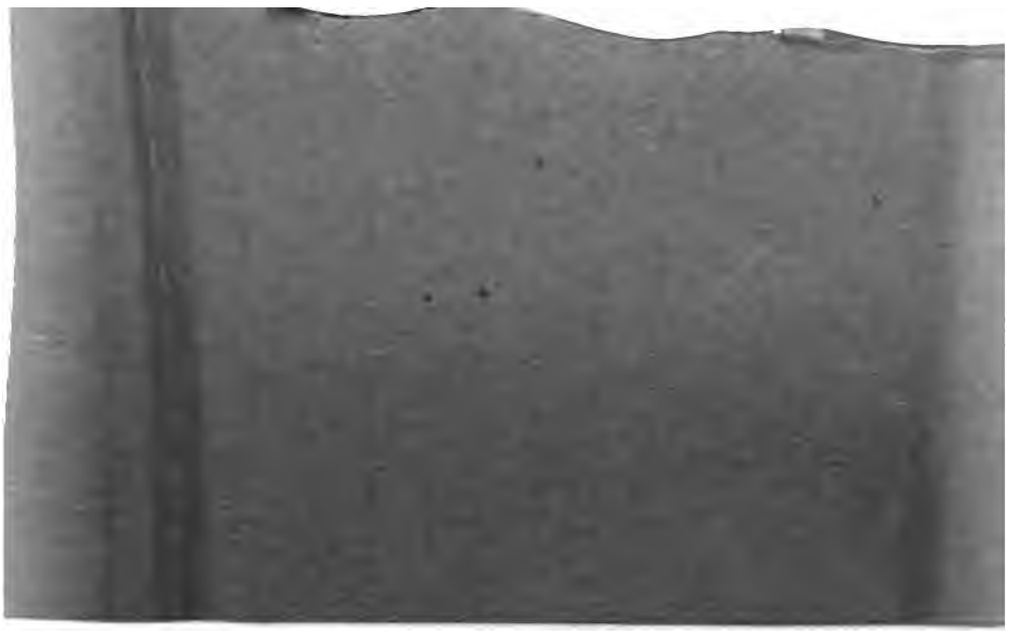
In the expenses for the year, there is an item of $132.10 for education; but who teaches the convicts, how, where and when the lessons are given and with what results, we are not informed.

It would seem that there must be a considerable number of insane convicts here, as the Legislature has authorized the erection of a special building for their accommodation; but I have searched the report in vain for an item of information concerning them, beyond this bald statement, even the physician making no reference to the subject.

The chaplain states that many of the prisoners have evinced a marked susceptibility to religious truth, that a number of them have professed conversion, and that he believes that a large number are in the habit of daily prayer in their cells.

There is a female department, with 21 inmates at the close of the year; but the Legislature has passed a law, requiring all females convicted of felonies to be hereafter sentenced to the Detroit House of Correction; so that this department is already dwindling, and will, at no distant day, cease to exist.

The mention of the House of Correction at Detroit suggests, in this connection, a glance at that institution. The contrast between the two is most striking and suggestive, in whatever light they may be viewed.



The average number of prisoners in confinement in the State prison was 531; the average number in the house of correction, 231; yet in the former there was a deficit of $24,752; in the latter a net gain of $20,027. Within the five years of its existence, the aggregate profits of the house of correction have amounted to $50,000, being an annual average of $10,000; during the same period the aggregate deficit of the State prison must have been more than $100,000. What makes this contrast the more striking is, that the average length of sentences in the State prison is three years, two months and fourteen days; while in the house of correction, it is only 104 days; a difference immensely in favor of the former as regards the value of convict labor. It is proper, and by no means immaterial, to state here that the systems on which the prisoners are worked in the two institutions are as different as the results attained. In the State prison, the convicts' labor is let to contractors; in the house of correction, it is managed by the superintendent on account of the institution. With Mr. Brockway at the head of the State prison, with *carte blanche* to manage it in his own way, there is little hazard in predicting that he would make it earn a clear profit to the State of $50,000 to $75,000 a year.

Nor are the moral appliances and whole tone of the house of correction, at Detroit, less superior to those of the State prison at Jackson, than its financial exhibit. The reformation of its inmates is seriously intended and earnestly labored for in the former of these institutions. The ordinary reformatory agencies actively employed here are — the daily and weekly religious services in the chapel, evening lectures of an instructive character in the winter, the distribution of books from a new and well selected library, and the assiduous personal counsels and persuasions of a competent and zealous chaplain. Not only does this officer discharge ably and faithfully his own special functions, but he responds, with a prompt alacrity, to any and all prisoners who desire to enter on any course of study. Thus he tells us in his report that "one is pursuing the German language and also philosophy; another has read through a course in American history, and is now finishing the Lives of American Generals and Statesmen; several are supplied with slates and arithmetics; one is studying Natural Philosophy; five are in the First Reader; and two are learning primary lessons in reading." This department (it may be remarked by the way) does not appear to be as well organized and as systematically conducted as would be desirable; but this result will no doubt be reached in due time.

Thus far as to existing agencies, which look to the moral reformation of the prisoners; but more and better is intended. A House of Shelter is even now in process of erection, to which are to be trans-

ferred from the house of correction all those female convicts whose good conduct during their incarceration merits such a reward. Here comparatively little restraint will be imposed upon them, and the reality of their reformation will be adequately tested. In several material points, the house of shelter will be a counterpart to the intermediate prison of Ireland. The logical and no doubt the actual issue of such an institution for women, should it prove successful, of which there can be little doubt, will in the course of time, be the establishmenf of a similar one for men. Thus to Mr. Brockway will belong the honor of being the pioneer in the good work of introducing into the United States a system of prison discipline which, under the name of the Irish or Crofton system, is steadily working its way to universal acceptance and adoption.

Minnesota.

The report of the Minnesota State Prison for 1867, is mainly taken up with a detail of the finances and material improvements now in progress, very little attention being given to its *morale*.

The aggregate current expenses of the year, including salaries, with an average of 48 prisoners, amounted to $18,259, and the aggregate earnings to $5,042, showing an excess of expenses over earnings of $13,217. The contract system of labor prevails in this prison, the convicts being hired out at the rediculously low rate of 38 cents a day, though it is but right to add that the contractors pay an annual rent to the State for shop-room, a thing not done in any other prison in the country, so far as I know. The commutation law, which had been but recently passed, was found to have an excellent effect upon the discipline. This is the warden's testimony: "The assurance that good conduct on their part will be rewarded, as it is by the deduction allowed by the law of last winter, from their terms of sentence, for proper deportment, with kind and uniform treatment by the officers in charge, has produced a respectful and willing obedience to the rules, which is indispensable in the successful management of an institution of this kind."

There is no stated chaplain in the prison, the several pastors at Stillwater supplying, in fact, this lack of service. One of these gentlemen furnishes a brief report, in which he says: "Religious services are held in the prison every Sabbath morning at nine o'clock. The sick in hospital are visited, while tracts and religious reading are occasionally distributed. There is a very gratifying attention to the preaching from Sabbath to Sabbath, and I am not without hopes that it may be effectual in accomplishing good, for both time and eternity.

"The prison being regarded not only as a place of punishment, but also of *reformation*, I would call your attention to the necessity there is of replenishing the library. As it is now, there are comparatively few books, most of which have been well read. A portion of these are well selected, while others are without much value. It seems to me that a large and judicious selection should be at once added to this library. Attractive religious works, books of a healthy moral tone, together with carefully picked volumes of history, biography, science, fiction and general literature, would well repay the State in their effect on the morals and culture of the men confined."

Missouri.

The State prison of Missouri, like those of Massachusetts, Maine, Ohio and Wisconsin, has become an object of special interest to the students of penitentiary science. The wardenship of this prison was held, during the late civil war, by Mr. P. T. Miller, a gentleman of enlarged views, high ability, progressive ideas and humane feelings. The possession of these attributes was made abundantly evident by the reports put forth by him during his official career; and to them were superadded the power of independent thinking and great boldness in the expression of his opinions. His successor in office is Mr. Horace A. Swift, who has been warden for more than three years; but though there has been a change of officers, there appears to have been no change in the principles and aims of the administration. The mantle of Miller has fallen upon his successor, who is following closely in his footsteps; and *progress* is still the watchword in the Missouri State penitentiary. The whole of Mr. Swift's last report, dated December 2, 1866 (the reports of this penitentiary are biennial), would be both interesting and instructive, could we make room for it. The following extracts therefrom will show the spirit of the administration:

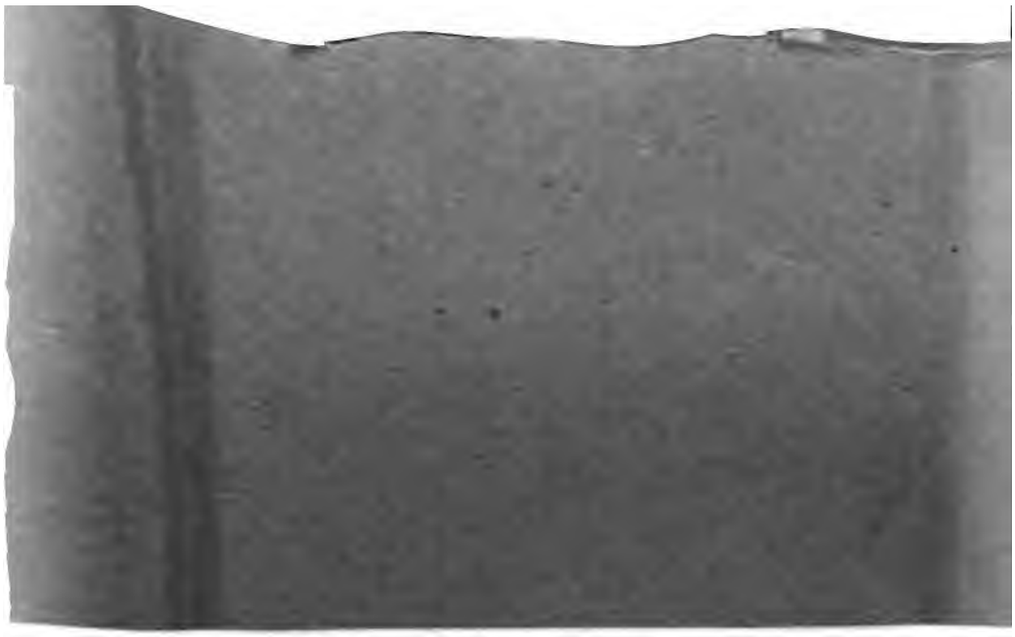
"This is an age of progress; everywhere the signs of onward moving are to be seen, and all tending in the direction of a universal amelioration. Shall we, then, whose business it is to deal with the great question of prison discipline, halt and be afraid to advance in the right direction, lest we be opposed by error grown hoary with age? or shall we not, rather, like men determined to do our duty, armed with the truth, attack error wherever found, intrenched though she be behind fortifications which the labor of generations has contributed to complete?

"It has been a popular and prevailing error to suppose that convicts were not like other men — that the fact of having been convicted of crime made them more brutes than men. The truth is, they differ

only in misfortune, and in suffering the sad consequences of their follies. We cannot, therefore, ignore the fact that they are endowed with natures like our own, nor forget the teachings of experience in our dealings with them; neither should we lose sight of the nature and design of penal institutions. The law contemplated that they should be schools of reformation, rather than institutions in which by hard work, bad fare and cruel treatment, the days of the offender should be made so intolerable that the memory of his prison life would be sufficient forever thereafter to deter him from other offences. Admitting this to be true, which I presume no person of intelligence will question (for the law of our own State makes it expressly my duty to manage the labor of the convicts in the way most advantageous to the State and most conducive to the reformation of the convicts), it becomes our duty to seek out that system of discipline which is most likely to result in good to the offender; which is best calculated to work in him a complete and radical reformation. Shall we be most likely to succeed best with that system which has brute force and the fear of the lash for its great central idea, or that other law of love by which the All-wise governs his family on earth, and by which we are taught the bad passions of men will be subdued — envy, hatred and malice be banished the earth, and all men be united at last in the bonds of affectionate brotherhood? Not losing sight of the fact that this class of men can be reached through the same channels as other men, and are subject to the same influences, it seems to me that we ought not to hesitate in the choice of agencies we are to make, if we are influenced in our conclusions at all by the same reasons which we hold good and practise upon in our social and family relations. In expressing my preference for a system based on humanity and moral suasion, as the distinctive features, I do not propose to relinquish the power to enforce obedience by severe processes when these prove inadequate, but I would make compulsory expedients the exception and not the rule.

"I feel well satisfied that much good is to be accomplished by liberalizing our ideas of discipline, and treating as heresies many of the prevalent and long established theories which have been found to be worse than worthless in practice. * * I have felt it my duty to enlarge the privileges of the prisoners, and to allow them, within proper limits, every opportunity for mental and bodily relaxation, teaching them that privileges belong to those only who earn them by good conduct.

"We have endeavored to follow the teachings of reason and humanity. We have abandoned many of the old land marks, and have gone directly in the face of rules and regulations still practised



in other prisons. We inflict no punishment so dangerous to the life of the subject that it must be administered only in the presence of the physician. We are guilty of no such burlesque of holy things as to load the offender with an iron cross, and compel him to bear it till he sinks beneath its weight. We hold that men's eyes are made to see with, and their tongues were given for rational conversation; therefore, we do not require that the eye shall never look up, and the tongue observe unbroken silence. We hold that the spirit bound beneath misfortune needs to be raised up, and strengthened; that the mind all beclouded with sorrow needs the light of cheering influences; and that the body, worn and weary by constant toil, needs to be reinvigorated by occasional seasons of rest and relaxation. If men, free and unrestrained of liberty, are made happier and healthier, mentally and physically, by these things, how much more will the friendless prisoner need the healthful influence of such agencies to better his condition? In short, regarding the institution and its inmates as one family, we have endeavored to assimilate its government to that of a well ordered family. Therefore, we have no one iron rule applicable to each and every case of disobedience alike, no matter how widely the circumstances may differ. We do not chastise our children for trivial offences, committed thoughtlessly and without premeditation, when a word of gentle reproof and admonition will be more certain to prevent a repetition of the offence. Prisoners are but 'children of a larger growth;' why not treat them in the same manner?"

In addition to the citations given above, the following extract from a private letter of the warden is inserted. His account of the funeral of a convict, killed by accident, is very interesting, and the services thus introduced into the Missouri penitentiary are worthy of imitation elsewhere. Mr. Swift says:

"A few days ago we lost one of the inmates of this institution by the caving of an embankment upon him. At the time of the accident we were struck with the idea of making it the occasion of introducing a new feature in our funeral service. So, after neatly dressing the corpse and placing it in front of the stand in the chapel, and listening to a short and appropriate discourse delivered by the chaplain, the opportunity was given that any one desiring to see the remains could do so. The coffin lid was then removed, exposing to view the face and chest of the deceased. A slow and solemn tune was struck upon the organ. At the signal given, the men marched in order around the bier, giving each an opportunity of seeing the corpse and paying the last token of respect to the dead. With measured tread, keeping time to the music of the organ, the prisoners

passed out in silence to their cells. It has never been my lot to witness a more solemn scene."

The financial exhibit of this prison is so confused and obsure, that it is difficult to get at the exact results. As near as I can make it out, the following is a substantially correct statement of the case. There may be some errors, but, I think, no grave ones. The total expenses for 1866, were $127,703; the total earnings, were $69,721; and the prison came short of paying its way by $57,982. The contract system in its worst form, so far as income is concerned, has been practiced here for the last four years. The labor of the convicts has been let, so far as let at all, for thirty-five cents a day. New contracts, however, have been made, at an advance of nearly 100 per cent on the old rates, and it is believed by the authorities that the prison will hereafter be self-supporting.

A new cell-house is in process of construction, built in the most substantial manner, containing 168 cells, nine feet by thirteen. These dimensions are larger than the cells in any other prison on the continent, designed for mere dormitory purposes. Their area lacks only three square feet of the size of those in the eastern penitentiary at Philadelphia, in which the convict works as well as sleeps; and they are nearly five times as large as those of Sing Sing, and more than five times as large as those of the Provincial penitentiary of Canada. Other improvements are proposed or in progress, which promise to make this one of the most commodious prisons in the country.

The physician gives a good account of his department: "The hospital (he says) is provided with all necessary furniture and abundant bedding. The old unclean bedsteads have been removed and replaced by military cots, which do not take so much room, are easier to be kept clean, and are more comfortable. The office is furnished with a complete stock of medicines and hospital necessities. A set of first-rate surgical instruments are on hand and kept in the best order; and a hospital steward, assisted by nurses picked from prisoners, is at the office day and night." There is, however, a material drawback, as the "rooms of the hospital are intolerably heated in summer time by the flues of the kitchen and baking-room passing through."

But one death occurred during the year. The chaplain gives this account of his labors:

"Religious services have been held regularly every Sabbath afternoon, at 3 o'clock. Generally a deep solemnity has characterized the hour devoted to these religious exercises. The conduct of the prisoners during the hour of worship has been uniformly good. The

attention has been deep and serious. Apparently, our labors have been highly appreciated. In my preaching I have endeavored to present the truth in a simple and practical manner.

"I would here mention that the singing is a very interesting and impressive part of our public worship. The choir consists exclusively of convicts. The chapel is furnished with a Prince organ.

"I have visited the female prisoners and preached or lectured to them on the Scriptures once every two weeks.

"The library has been carefully managed, and yet it has been impossible to prevent the abuse of the books, many of which, in their mutilated and worn-out condition, are unfit for use. Our library is not equal to the demand. It certainly should be replenished immediately. I would respectfully recommend this matter to the board of inspectors.

"We have now in the library 950 volumes. The character of the books are as follows:

Religious,	350
Fiction,	200
History, biography and miscellaneous,	400
Total,	950

"The whole number of books read for the year 1866, as exhibited by library register, was 11,243; average number per man of the 300 whose names are on the register of the library, 38; average number per month, 937; average number per day, 31; number of books of all kinds donated to the library for the past year, 393; number of copies of papers and periodicals, 2,455; number of tracts, 5,500. Of the 950 volumes in the library, 250 are small juvenile books—almost useless among adult prisoners. Of the remaining 700 volumes, 200 are almost entirely worn-out, leaving some 500 volumes of readable matter. Number of Bibles in the prison, 270."

Mississippi.

I have been able to obtain no information of special interest relating to the State prison of Mississippi for the year 1867, beyond a few statistics, which will be found in the table inserted in a subsequent part of this review.

On the first of January, 1866, by virtue of an act of the Legislature, the prison was leased to J. W. Young & Co. for fourteen years. This lease, I presume to have been executed on the same principle as that of the Kentucky penitentiary. Messrs. Young & Co. sold out their lease to another firm. This firm, from want of funds and the death of some of its members, failed to do anything with the

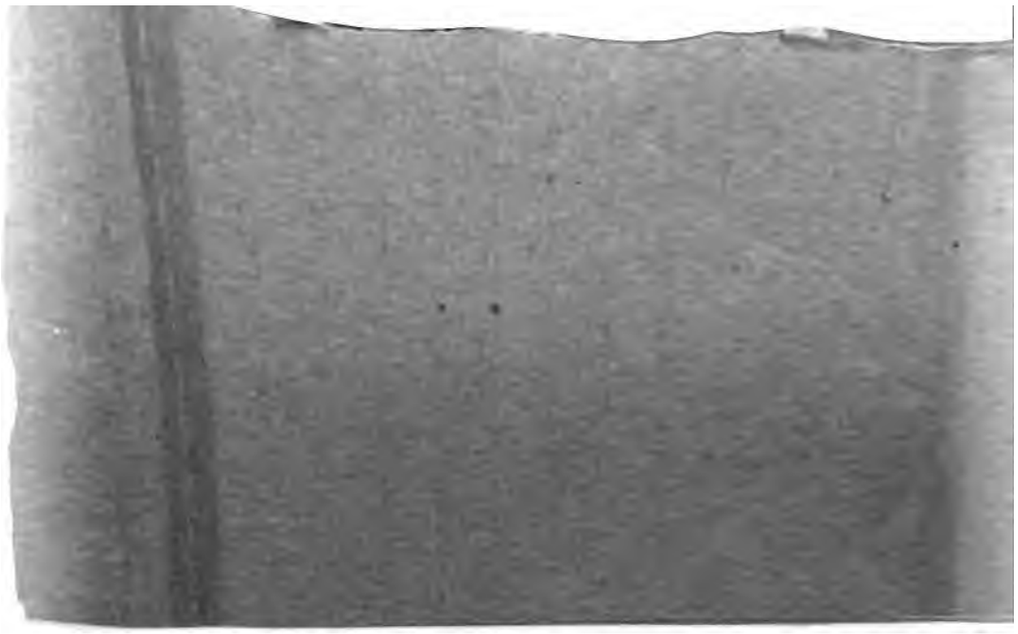
prison. Its affairs had fallen into a wretched condition, and, at the request of Governor Humphreys, on the 23d of January, 1868, the military authorities of the United States took charge of the institution, and have retained the same to the present date.

The present military superintendent is Lieutenant John R. Hynes, of the Twenty-fourth United States Infantry. From his correspondence I judge him to be a gentleman of enlightened views, kindly feelings, solid piety, and withal very modest. In one of his letters he says: "The business is an entirely new one to me. Should you give me any suggestions or counsels, I shall thankfully receive them, and try to carry out any measures that may be beneficial, — first, to the prisoner; second, to the prison; and last, though not least, to the community at large." He is assisted by a sergeant, who has charge of the guard, consisting of a detachment of soldiers from the Twenty-fourth Infantry, the guard of citizens having been all dismissed on the accession of the military. His system of discipline is mild and humane, but seems to be effectual.

The average number of prisoners in 1867 was 152, two-thirds of them being colored. They have greatly increased since, as the number confined July 28, 1868, was 330. Of these, 250 were hired out, 150 of them building or repairing levees along the banks of the Mississippi, and the remaining 100 on plantations in different counties of the State, but the rate of wages is nowhere stated in Lieutenant Hynes' correspondence. The convicts actually in the prison were employed in cleaning, repairing, gardening, and such other work as could be found for them. Of remunerative labor, there was none. They were fed by the General Government. Their rations consisted of fresh and salt meat, equally divided; wheat and corn bread, potatoes, and a variety of vegetables grown in the prison garden.

As regards the prisoners confined within the prison enclosure, it was found necessary to put two men in nearly every cell, partly from want of room, but more because of the insecure state of the greater part of the cells. The convicts at work on plantations were guarded by citizens, and confined at night in cages, or moveable houses, strongly and securely built. How those at work on the levees were guarded I am not informed; possibly they may be returned to the prison for safe-keeping at night.

The punishments employed are: stocks, from a half hour to two hours; dark cell, with a ration of bread and water; and occasionally confinement for several days in the culprit's own cell. The efficiency of the discipline, despite its mildness, is shown in the fact, that only



seven cases of punishment had occurred during the first five months of Lieut. Hynes' incumbency, and no escapes (at least so I understand his statement), whereas the percentage of escapes in 1867 was twenty-two, a percentage much larger than in any other prison in the country, except one, so far as I know.

The prisoners immediately within the prison are required to rise about six A. M., go to the yard and cleanse their night tubs, wash themselves, comb their hair, etc. They are then formed in line, the roll is called (perfect silence being required), and, as each man is called, he advances a few paces forward. They are then marched to their cells, where they find breakfast awaiting them. For this meal and also for dinner, they are allowed an hour. After meals, they are let out to their work. No loud talking is permitted, but quiet conversation, to a reasonable extent, is not forbidden. No bad effects have been observed to result from this indulgence; but quite the reverse. The men are kept in the shops and yards through the day, employed in such work as can be found for them. They mingle freely with each other, and are quiet, orderly and obedient. No plots or conspiracies to escape have been formed, and, as before stated, only seven punishments inflicted in five months.

There is a small hospital, capable of containing eight beds; but it is seldom that more than four are used.

The opportunities afforded for moral and religious instruction and improvement are meagre. There is no chaplain; the resident clergy appear to avoid the prison; and months pass away without the inmates hearing a sermon or receiving any religious instruction. Under date of Aug. 22, 1868, Superintendent Hynes wrote me: "We have now over one hundred inmates actually inside the prison; and there is not a single Bible, Testament, prayer book, or any other kind of reading matter for one of them to use. May I presume on your generosity in asking you to procure, if possible, from some of your benevolent religious associations a donation of Testaments, tracts, papers, books, etc." On receipt of the above, I immediately applied to the American Bible Society, which responded by a prompt and liberal grant of Bibles. At a later date, two hundred prayer books were given by the Protestant Episcopal Evangelical Society, and a grant of tracts by the American Tract Society.

Nebraska.

All the information that has reached me, in reference to prison matters in Nebraska, is contained in the annexed communication from Governor Butler:

STATE OF NEBRASKA, EXECUTIVE OFFICE,
OMAHA, *October* 19, 1868.

E. C. WINES, *Corresponding Secretary New York Prison Association, 38 Bible House, New York:*

DEAR SIR—In reply to your inquiries concerning the prison system of Nebraska, it is impossible to give you any thing of a very satisfactory character.

Having no State penitentiary, all prisoners of the State are confined in the jails of the different counties, and consequently are not compelled to labor.

No special efforts have been made to reform them.

A site for the penitentiary has been selected, and probably the next Legislature will make provision for its construction.

Any publications of your Association, that will furnish suggestions to the Legislature will be gratefully received.

Respectfully yours,
D. BUTLER, *Governor.*

NEVADA.

The following letter from the private secretary of Gov. Blasdel, will put the reader in possession of all the information I have touching prison affairs in Nevada. It will be found interesting and satisfactory as far as it goes.

STATE OF NEVADA—EXECUTIVE DEPARTMENT,
CARSON CITY, *Sept. 25th*, 1868.

E. C. WINES, D.D., LL.D., *Corresponding Sec'y Prison Association of New York:*

DEAR SIR: I am requested by his Excellency, H. G. Blasdel, Governor, to acknowledge his receipt of your letter and circular of the 7th inst., and to say in reply to your inquiries, that there is and has been a State prison of this State, ever since the same was admitted into the Union; that all persons convicted of felonies, when sentenced, are confined therein and required to labor, principally at quarrying and dressing stone for building and other purposes. There is an excellent quality of sandstone abundant in the prison inclosure. When there is a demand for stone, the prisoners can earn about three dollars per day, employed in that branch of prison labor but they cannot, as yet, earn much in any other way.

The average number confined in said prison during 1867, was twenty-one; and the total during that year, thirty-three. Crime, in this State, is at least, not increasing.

Under the laws of Nevada, prisoners are allowed a credit of five days per month for good behavior, and almost invariably merit and receive it.

Praying God's blessing upon your noble Association, I am, dear sir,

Very truly, &c., yours,
THOMAS WELLS,
Private Secretary, &c.

NEW HAMPSHIRE.

The prison of this State has been, almost uniformly throughout its entire history, self-supporting, and has, besides, commonly yielded a moderate revenue to the State. The financial exhibit of 1867 is as follows: Total expenditures for ordinary purposes, including salaries, with an average of 126 prisoners, were $25,140; the total cash earnings, $30,108; showing a net profit to the prison of $4,968. The item of profit would have been at least $3,000 greater than it was, but for the fact that for two months the labor of almost all the

convicts was expended upon the erection of a new workshop and other permanent improvements, and consequently yielded no cash returns. The directors remark: "A careful estimate goes to convince us that the prison, for the next year (1868), will earn $8,000 above its ordinary expenses."

The contract system of labor is practised here, the greater part of the inmates being let at 90 cents a day, on a cabinet contract, and the rest (except those needed for State purposes), at 75 cents a day on a shoe contract.

Material improvements were made during the year, by a considerable enlargement of the principal workshop, by alterations in the cell-house, which have secured a thorough ventilation of the building, by the laying of pipes for a better system of drainage, and by the introduction of water into the prison (formerly brought in pails) from the city water-works.

But by far the most important improvements have been made in the moral appliances of the prison. A great advance is to be noted here both in the theory and practice of prison discipline. Mr. Mayo, appointed warden three years ago, has shown himself quali fied for the position. He seems to be imbued with the ideas of progress and reform. Like Mr. Haynes, of the Massachusetts prison, Mr. Mayo had a course of popular lectures delivered to the convicts, which, including three musical entertainments, reached the number of fourteen. A highly beneficial influence was experienced from this new feature of prison administration. The men were deeply interested; valuable information was imparted, and the desire awakened for added stores; dormant intellects were roused; thought was quickened; books were more sought and read than ever before; manhood was developed in the convicts; the discipline was essentially aided; and, altogether, the effect was an interruption, as useful as it was pleasant, of the sombre routine of convict life. Six of the lectures were by Dr. Crosby, prison physician, in which he treated of the structure of the human body and the laws of health. The doctor, in his report, testifies that his words were not wholly wasted; and, for proof, he states that he has since received many questions, written and oral, on points connected with the subject-matter of his "talks," and — what is especially gratifying — that there has been a marked diminution of that "solitary vice," so common among prisoners, whereby their health has been improved, valuable labor saved to the State, and a moral benefit incalculable gained by them. Dr. Crosby was so much pleased with the success of his experiment, that he proposes henceforth to deliver an annual course of instructions to the convicts on these and kindred topics.

Mr. Mayo has also instituted an evening school for those convicts who are either wholly illiterate or need further instruction; a point wherein New Hampshire is now, much to her credit, in advance of Massachusetts. The school, thus far, has been under the care of the chaplain, Rev. S. Holman, who has rendered effective service in this department, without any added compensation for the added labors thus assumed. Mr. Holman has been acceptably aided in his work by some of the better educated of the convicts. The success of the undertaking has been highly gratifying. Not a solitary breach of order has been noted on the part of the convicts, whether among the teaching or the taught. The school has numbered fifty-nine pupils in all—twenty-five who could not read when admitted, and thirty-four who could read imperfectly, but were unable to write. Most of the latter are reported as now able to write quite well, and several have written letters to their friends; while all of those learning to read have made good progress. In addition to the literary instruction given, singing classes were held one or two evenings each week, an exercise in which the prisoners took great delight.

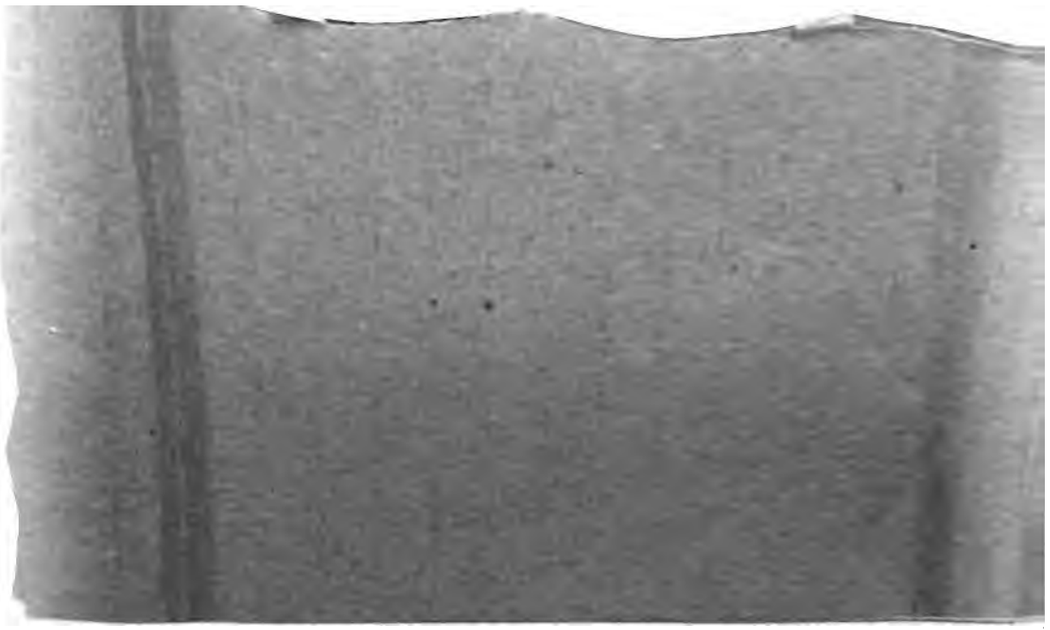
A great step in advance has been taken by the authorities of New Hampshire, by the appointment of a State agent to look after discharged convicts. His services have been found of essential value to those in whose behalf they are rendered. Mr. Mayo thus speaks of this agency and its good results:

"For some he has secured situations at remunerative employment, and for others he has procured free transportation to their homes. The last is often no small favor, as the State allows only $3.00 to each discharged convict. I would here respectfully suggest the importance of granting a larger sum to this class, so that they need not suffer, or be tempted to commit a new crime before they can secure employment.

"Much credit is due our railroad superintendents for their generosity in granting free passes to all who have been recommended as worthy the favor."

At the date of the report, the commutation law, enabling the convict to shorten his imprisonment by good conduct, had been in operation in New Hampshire but eight months. Of its good effects, the warden speaks in these terms:

"Eight months' observation of its practical workings has shown it to be a most successful agency in promoting good conduct on the part of the men, and in rendering the work of discipline less difficult. There is an intense anxiety on the part of all prisoners to gain their liberty as soon as possible, and even a few days or weeks have great value in their eyes. Hence, as the result of this 'good



time law,' more work is done, and it is more cheerfully performed, than under the old order of things. Judging from experience, thus far, it is safe to say that nine-tenths of all the inmates of the prison will secure the whole amount of commutation allowed by law. The beneficial effects of the law have been more fully demonstrated during the past season than they could have been under ordinary circumstances. During several weeks, while repairs were going on, the prisoners were necessarily under less strict oversight than when at work in the shops; yet no advantage was taken of their unusual liberty, and perfect order was maintained: and since the improvements were completed, the law has proved an effective agency.

"Only the same number of overseers as formerly are employed, while the rooms have been doubled in size, and the working force in each increased one-third; yet no difficulty has been experienced, and the strict discipline of other years has been secured. This result could not have been attained had not the law in question placed the men, in a measure at least, on their good behavior. They have a strong and always present motive for strict compliance with the regulations of the prison."

Prisoners who earn the whole of the commutation allowed by the law, are entitled thereby to a restoration to citizenship. This is right in itself, and affords an added stimulus to good conduct of great force.

The discipline of this prison is administered in a spirit of humanity. In some remarks by the warden, on the subject of discipline, this passage occurs:

"The old rule of enforced silence has been kept up. This rule, together with that of compelling the prisoner to maintain the downcast look, is exciting considerable discussion among those interested in prison management. Nor is it a matter of small importance. If the enforcement of such a rule is not necessary, and is barren of any good result, certainly it comes near being cruelty to deprive a prisoner of the pleasure of free intercourse with his fellow-prisoners. The mitigating circumstances of his lot are few at best; and it would not be humanity to place him under so severe a restraint as this, if the ends sought in his confinement could be obtained equally well without it. The question is one that must be decided by practical results, and not by mere theories."

There is, so at least it strikes me, a leaning toward the Irish system in the report. One thing is certain, that it is the constant effort of Mr. Mayo and his co-laborers to make the prisoners feel that they are friends, who are seeking their good in every way not inconsistent with the ends sought in their punishment. The

result has been to secure their confidence and inspire them with an alacrity and cheerfulness beyond what could have been expected.

The reports of the physician and chaplain are documents of unusual interest. The former of these officers remarks: "I have made it a point to visit the kitchen very frequently and taste the food, and have invariably found it to be of good quality, sufficient in quantity, and remarkably well cooked."

The prison Sabbath school is thus described by the chaplain: "At four P. M. we assemble, such as please to attend, for Sabbath school instruction. The several classes have been faithfully taught by christian gentlemen belonging to the several religious societies in the city, some of whom have scarcely been absent a Sabbath during the year. The same may be said of the excellent ladies, who have so cheerfully devoted themselves to the instruction of those who could not read.

"I have kept an account of the attendance for fifty-six Sabbaths, from the opening of the school, more than a year ago, up to the last Sabbath in April, and find the smallest attendance to be fifty, the largest ninety-one, and the average seventy-two. The average attendance for the last six months has been eighty-three. To those who were conversant with the small number formerly attending, this is a manifest improvement.

"We now have all we can accommodate in our chapel, and, consequently, I cannot urge others to come. Were it otherwise, I think nearly every man could be brought into the Sabbath school. The interest manifested in this exercise is the subject of remark by the many who visit the school."

New Jersey.

As regards its finances, the State prison of New Jersey appears to be one of the worst managed in the country. With an average of 540 convicts its expenditures for 1867, including salaries, amounted to $124,389, and its earnings to $31,787; thus leaving a deficit to be provided for by State appropriations, of $92,602.

There is great overcrowding in this prison. While it can properly accommodate only 350 prisoners, there are sometimes nearly or quite 600 confined within its walls. This, of necessity, is highly prejudicial to discipline and destructive of all true reformatory management.

There is also a lack of adequate shop room here, which impedes the labor of the convicts, and necessarily diminishes the income from this source.

The report of the warden is exceeding meagre and jejune, giving no information of interest beyond some financial details, and no sug-

gestions for improvement whatever. Very different is the report of the chaplain, and also that of the inspectors. These documents are written in a humane and earnest spirit, abound in solemn invectives and judicious suggestions.

The chaplain speaks of the moral condition of the prison as "presenting few features encouraging to the friends of prison reform," and adds that "until the whole subject is taken out of *party politics*, but little hope can be entertained of making any permanent improvement."

As regards the susceptibility to reformatory influences of the mass of prisoners, he uses the following language: "Most of the convicts are young in years, and are in prison for their first offence. Bear in mind, also, that the absence of proper training, vile associations and intemperance caused their downfall. Now, suppose that, during their incarceration, provision is made to give them daily a few hours mental and religious instruction, to carefully guard them from contact with old offenders, and, in every possible way, both by precept and example, to show them that the real object of prison discipline is to restore them to society, reformed and useful citizens. Who could doubt the result?"

The same general view, but more in detail, is enforced in the following sensible and vigorous passage, taken from the report of the inspectors:

"The law intimates that 'reformation' is an object as well as punishment. We hold that the great object of penal service should be the 'reformation' of the offender; and we hope for the day when this idea shall have taken firm hold of the mind of people and legislators. We say then:

"1. Let the punishment be sufficiently *severe*, while all measures indicate that a prominent object is *the good of the convict.*

"2. Allow no communication between prisoners, excepting as a mark of confidence in a properly graded system.

"3. Encourage reformation by rewards and by appeals to the better nature. Commutation of sentence, earned by good conduct, according to some definite rule, has been found of value elsewhere, and is here in operation with regard to United States prisoners with good effect. A system of fixed commutation would relieve the prison of the restlessness arising from the prevalent hope of early pardon for good conduct, and would relieve the Court of Pardons from the consideration of many cases now brought before it. A pardon, whether earned under a commutation system or granted otherwise, should carry with it the condition, that on a subsequent conviction, the prisoner should serve the time remitted, in addition to the new term.

"4. Carefully instruct every prisoner, if possible, in the several branches of an ordinary English education, furnishing the necessary time, competent instructors, and appliances to make the instruction attractive. A division of the prisoners into classes, each in turn to be relieved from labor, to receive instruction for an hour or two each day, would result in advantage to the State. If ignorance is the parent of vice, this would lessen the progeny.

"5. Instruct the prisoners in the principles of revealed religion, of which many probably have no knowledge whatever. This would have a strong deterring power over them, even if they should not be wholly reformed.

"6. Provide a pleasant room for assembling the convicts for secular and religious instruction. Long experience elsewhere has shown the humanizing effects of this arrangement, and failed to show any bad results. Our plan of attempting to address the prisoners in their cells, once a week, can be viewed as little more than an intimation of what the moral sense of the community deems the right thing to do; a sort of salve to the public conscience. Nothing can be said as to the effects of *general reformatory effort* in our prison, for it has *not been tried*. The 'moral instructor' has but little opportunity, and the 'genius' of our system is against it.

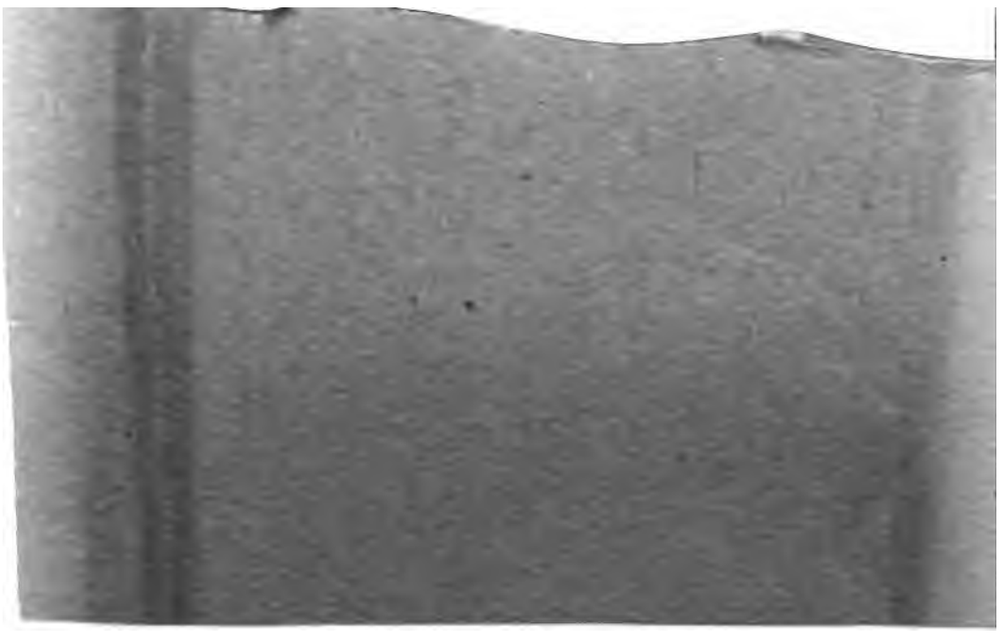
"7. Teach every prisoner, if possible, a useful trade.

"8. Aid discharged convicts in getting work, and by temporary support. The State of Massachusetts has a paid agent to attend to this; so has New Hampshire now.

"9. Classify the convicts, and have prisons of different grades. The reform school, recently established, is a step in this direction. We need such a school for females, and an intermediate institution for offenders of minor grades, too old for the reform school.

"10. Get good officers and keep them. Under the present system this is impossible, and without it there can be but little improvement. The prison is now used as a political machine, to the increase of our taxes and our great disgrace. If 'money-making' is our object, we take the dearest way. If the Superintendent of our Insane Asylum, or the Principal of our State Normal School, or the President of the College of New Jersey, were subject to change with every popular election, how long would these institutions continue to be the pride of our State? Yet the prison is not less important than either of these, when viewed in the light of its influence for good or evil, upon the inmates and society."

Since the date of this report, a commutation law has been enacted by the Legislature, making it "lawful for the Court of Pardons to remit" from the sentence two days per month for good conduct, two



days for industry, and one day for self-control and manifest effort toward intellectual improvement. As it is left optional with the court to remit or not to remit, they have hitherto elected the latter of these alternatives; on what grounds I am not informed. It is to be hoped that they may review and reverse their action in this matter.

The Commission appointed by the Governor at the command of the Legislature, consisting of Ex-Governors Haines and Fort and Samuel Allinson, to consider and report on improvements needed in the prison system of New Jersey, are at work, and will in due time submit the result of their labors to the Executive and the Legislature. Let us hope that a material reform will be the issue.*

New York.

No special review of the State prisons of New York need be undertaken here, as a full exhibit of their state and condition is given in the report of the Committee of the Prison Association appointed to investigate their affairs, printed elsewhere in the present document.

North Carolina.

I have been able to obtain nothing from North Carolina beyond the subjoined letter from the Superintendent of Public Buildings in that State, C. L. Harris, Esq.:

RALEIGH, N. C., *Sept.* 11, 1868.

E. C. WINES, Esqr.:

DEAR SIR — Yours of 7th inst. to hand to-day. In reply I have to inform you that we have no penitentiary in our State. The late Legislature have made arrangements to build one soon: consequently I cannot give you any information in relation to an institution of this kind.

I shall call committee together on next Monday to locate the building. Please send me report when made. Yours truly,

C. L. HARRIS, *Supt. Pub. Works.*

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*The following extract from Governor Ward's annual message, delivered January 12, 1869, received while this review is passing through the press, will be read with interest:

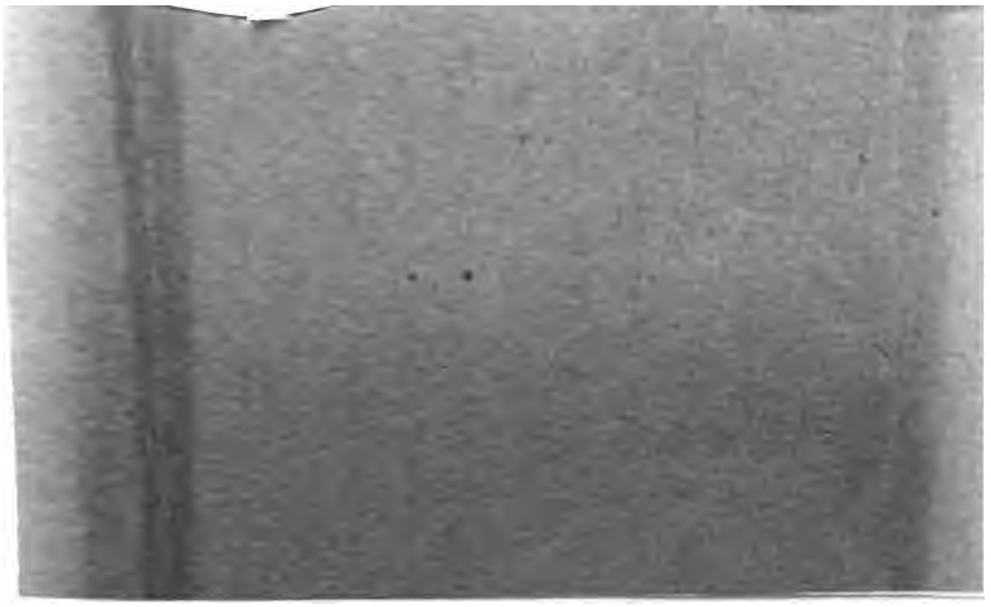
"It is the largely prepondering weight of evidence, received from many of the officials of prisons in this country, that kindness, as a means of discipline, is more effective than severity. It is with pain that I record the fact, that for many years it has been the custom in this State to inflict the inhuman punishment, upon male and female alike, of confining prisoners, for breach of discipline, in dungeons, on a diet of bread and water, manacling them close to the floor without liberty of movement, and forcing them to eat their food like beasts, or pinioning their arms to the wall over their heads, the duration of these punishments being often for days, and sometimes weeks, together. This species of cruelty I have, at length, brought to an end, and my efforts to have the experiment tried of disciplining by kindness have proved successful. I refer with pleasure to the unqualified statements as to its success made by the faithful and efficient prison keeper, Mr. Walker, in his official report."

Ohio.

In no State, perhaps, has a greater advance been made than in Ohio, both in regard to the true principles of prison discipline and the application of such principles to the practical detail of prison management. The reports of the directors, warden, chaplain and physician of the State penitentiary, which together make up the annual document presented to the Legislature, relative to the affairs of the prison, are papers of rare ability and value. They are marked by an insight, large-heartedness, liberality, candor, sensibility, breadth of view, and force of reasoning, as refreshing as they are uncommon in the literature of penitentiary officials. In some of these papers (reference is here had to the chaplain's report especially), there is more than an intimation that, if reformation is to be made the leading aim of prison discipline, recourse must be had to some system substantially the same as that practised in Ireland. The doctrine is proclaimed that, if reformatory measures are to be effectively applied, there must be a limitation of numbers; a gradation of prisons, and a classification of convicts on the basis of character and merit; a series of adequate tests to ascertain the reality of reformation; a system of gratuities and privileges whereby prisoners may derive present as well as ultimate advantage from good conduct; and such provision for liberated convicts as will encourage and aid them in their efforts to do well, prevent them from being clutched by their old associates in transgression and drawn back into the abyss of crime, and facilitate their absorption into virtuous society. And what is all this, but the very definition of the Irish system? The essence and core of every really reformatory system must lie in these and such like incentives to industry, mental culture, and correct behavior, held out to the convict during the period of his incarceration.

The average number of prisoners confined in the State prison of Ohio during 1867 was 1,001. The aggregate expenses of the year were $119,249; the aggregate earnings $137,244; and the excess of earnings over expenses, that is, the net gain to the State, $17,995. This showing is not the result of any arithmetical legerdemain, any introversion or twisting of figures to put a semblance in the place of a reality. It is a genuine, square, *bona fide* exhibit of cash earnings, cash payments, and cash profits.

So favorable a condition of the finances — better than ever shown before in the entire history of the prison — was not reached without the practice of a rigid economy both in procuring and using supplies. Purchases were made on the most favorable terms the market afforded; and, in every department, a system of accountability was adopted, which effectually prevented waste. In one



word, there was an administration of the prison at once able and honest.

On this subject the following extract from the warden's report will be read with interest, and it is, at the same time, highly suggestive: "Each department of the prison was, in its turn, systematized by placing competent superintendents in charge of them; and I know all have been managed in the most faithful and economical manner. The results obtained, this year, by perfect economy in the kitchen, State shop and hospital, show very clearly how the expenses have been reduced. That the matter may be better understood by all, I have taken the pains to prepare the following table, showing the average cost to feed, clothe, bed, and furnish hospital supplies for the prisoners during the years from 1861 to 1867, both inclusive:

Years.	No. of convicts.	Cost of provisions.	Cost of clothing and bedding.	Cost of hospital.	Total.	Average cost per man.
1861..	924	$32,734 86	$14,993 40	$1,243 92	$48,972 18	$53 00
1862..	768	27,177 70	18,295 71	2,734 62	48,208 03	62 77
1863..	740	36,666 97	17,394 57	1,882 44	55,943 98	75 60
1864..	624	36,643 78	16,063 14	1,960 64	54,667 56	86 91
1865	655	43,665 02	11,706 73	2,182 23	57,553 98	87 87
1866..	860	52,068 52	18,620 91	3,436 52	74,105 98	86 16
1867..	1001	38,339 65	10,118 62	2,971 66	51,429 93	51 37

"You will observe that it has cost less this year than any other; even less than in 1861, when every thing could be purchased at extremely low rates. The cost this year is surprisingly low, considering the high price of every thing; and I claim, and the appearance of the convicts will justify it, that they have been well fed, comfortably clad, and the attention to the sick could not have been better."

While the directors very properly applaud and rejoice in the material prosperity thus attained, they are not blinded by it to the higher interests at stake in the management of a prison, as the following citation from their report attests:

"As has already been stated, criminals are sentenced to the penitentiary and compelled to labor as a punishment. Any profit which may arise from their labor is only incidental, and not the purpose for which they are confined. If consistently with punishment and reformation, they can be made to support themselves, it is right that they should do so; but more attention is due to the just and proper execution of the sentence and the reformation of the convicts than the realization of profits from their labor. The two are not inconsistent, but the first is of prime importance, and the latter is a mere incident to it. If, therefore, the penitentiary can be managed so as

to pay its own expenses, it is merely fortunate for the State. If it is prudently and wisely administered and does not pay its expenses, the main object is still accomplished, and the failure to pay its expenses cannot be regarded as a calamity or even a misfortune."

Holding these views, they yet confess that the supreme aim of prison discipline, the reformation of its subjects, is not attained in this penitentiary, nor, as they conceive, in any other of our American prisons. Their convictions on this subject are thus set forth:

"The problem of reforming convicts, is, however, not yet solved. Many experiments have been tried and expedients resorted to, but without any signal or decided success. They have been subjected to regular and systematic labor, which to a certain extent is reformatory; just as cleanliness and discipline and kind treatment are. Direct moral influence and christianity have been brought to bear upon them, but as yet without satisfactory results. The great mass of convicts still leave the penitentiary when their terms expire, apparently as hardened and as dangerous to the State as when they were sentenced. They have little appreciation of the depravity of crime, but, on the contrary, seem to love the excitement which it occasions, and only look forward to their discharge as giving them another opportunity to prey upon the public. A portion of them, though ignorant and uneducated, are evidently not beyond the reach of moral and religious influence.

"This state of things is unsatisfactory, and more ought to be accomplished. The process of punishment ought not only to be a process of reformation, but in many instances ought to result in it. The penitentiary is now only a terror to evil-doers. It ought to be both a terror and a school, where criminals are so taught their duty to society and their Maker as to turn them from their evil ways. Although this defect in the management of prisons is very obvious, it is difficult to suggest a specific remedy for it. Our own experience is not sufficient for that purpose, and we are not able to avail ourselves of the experience of others. Mere theory, without careful observation and practical tests, is of little value. Much good, however, may be accomplished, and many valuable results attained, by enabling the officers of different prisons to consult together and interchange opinions on this and many other questions connected with their goverment."

Many and important material improvements were made during the year under review, such as building shops, roads, a cistern, paved gutters and an ice-house, repairing the halls, hospital and buildings generally, cleaning, painting, etc., etc. The cistern, holding 4,000 barrels of water, is regarded as the most valuable addition to the

convenience and comforts of the penitentiary, especially as
afford a sufficiency of water for the weekly bathing of the pri
as well as other necessary purposes. On this subject the w
says: "Workmen are now engaged in making an apparatus by which we can bathe convicts thoroughly, every week, a thing the penitentiary has heretofore been deficient in."

I would be glad to give the whole of the admirable report of the chaplain, Rev. A. G. Byers, but must content myself with the few citations which follow:

"The deportment of the prisoners, as coming under my personal observation, whether in the cell, the shop, the hospital, or when congregated for worship on the Sabbath, has been uniformly respectful and good.

"Personal interviews have been held with the prisoners as soon as practicable after their arrival at the prison.

"Library books, under the supervision of the chaplain, have been distributed regularly every two weeks.

"The prison school, for secular instruction, has been kept as heretofore, with only occasional intermission for repairs in chapel and school room, until in the latter part of August, when it was temporarily suspended.

"Unless absent, by permission, from the city, the chaplain has made a daily visitation of the sick in the hospital. Visitation, more or less frequent, each week, was made during the year, to the idle shops,* and scripture or other appropriate lessons were read, words of counsel given, and oftentimes devotional exercises held.

"Our usual Sabbath services, consisting of Bible class and devotional exercises in the female department, worship in hospital, Sabbath school, chapel exercises, and when requested, visitation of prisoners at their cells, have been held regularly throughout the year, with but a single exception, when, from indications of insurrection, the chapel service was omitted.

"The prison school has not been so fruitful of good as in past years. Greater numbers, all that could be conveniently accommodated, have attended the school; but, during a greater portion of the year, its privileges were restricted to the 'idle' men, whose attendance was irregular, and whose attention was, very naturally, characterized by great listlessness.

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*From 150 to 200 convicts were without employment a considerable part of the year, because the Legislature had prohibited the directors from letting their labor at less than seventy cents a day.

"It would be difficult to estimate the advantages of the prison Sabbath school. Its influence upon the immediate conduct of the prisoner is decidedly good, and all its tendencies are to the development of a better life. It is a matter of continued regret that, for want of teachers, we cannot extend the privileges of the Sabbath school. Too much cannot be said in commendation of the few christian gentlemen of Columbus, who, through the year, have devoted themselves so earnestly to this good work.

"Beyond these apparent good fruits of christian effort, it is difficult to speak.

"Many prisoners profess reformation, but, unfortunately, these professions are either associated with such motives as discredit sincerity, or they are merely prospective in their character, a simple declaration of intentions to become in the future, at a more convenient season, better men.

"Others, however, do solemnly, and without apparent motive to deception, profess actual change of heart, through faith in the Lord Jesus Christ, and avow their purpose, God helping them, whether in or out of the prison, to 'lead a new life.'

"I desire here to avow my full faith in the sincerity of very many of these professions. I can not pause now to state the grounds of my conviction, or to cite instances coming under my personal observation, which have occurred from time to time, to strengthen and confirm such confidence.

"I can do no more than affirm this confidence, and express the hope that very soon, as it surely must ultimately, the State in its dealings with the criminal, shall come to a recognition of the great doctrine of christianity, that it 'saves to the uttermost all that believe.'

"I must call the attention of the Board to the condition of the Library. Our supply of books is almost entirely exhausted. Several thousand (at least two thousand) dollars will be required, if the actual wants of the prison are to be supplied.

"I must suggest also that there should be made some other and better provision for the school.

"Each convict unable to read and write ought to be required to learn.

"A school-room easily accessible from the shops, with a teacher in constant daily attendance, could be provided at comparatively trifling expense, and such arrangements made as would secure educational advantages to the prisoners without material detriment to the industrial interests of the prison. The importance of some such arrangement cannot be overestimated."

Oregon.

The reports of the State prison of Oregon are published biennially. The latest which I have been able to obtain is that for 1865 and 1866, and this is probably the last that has been issued.

The aggregate expenses of the prison for 1866, were $17,126, and the aggregate earnings $8,381, showing an excess of expenses amounting to $8,795. The sum put down as earnings was not in the form of cash receipts, but is the estimated value of the labor of the convicts, done for the State, in clearing the ground selected as the new site for the prison, planting and cultivating a prison garden, preparing a brick-yard, erecting a fence fourteen feet high around a plat of about fourteen acres, and in building a temporary wooden prison, which is intended ultimately to serve as a work-shop.

The prison had recently been removed from Portland to Salem, the present capital of the State, and, as the statement made in the last paragraph shows, is, or at least was at the date of the report, in an inchoate state.

The commissioners in 1865 deputed one of their number, the Rev. G. H. Atkinson, D. D., to visit prisons in the Eastern States. The agent was wisely chosen, as the intelligent and valuable report, submitted by him to his colleagues under date of July 25, 1866, abundantly attests. As this report is of a general nature, and relates to prisons outside the territorial limits of Oregon, it affords little material suitable to be embodied in the present survey. A single passage, however, relating to the site of the prison, may be cited:

"The location of the Oregon penitentiary compares in most respects favorably with the sites chosen in other States for these institutions. It has also the advantage of a stream of pure water for domestic and manufacturing purposes. It has a large area of land. Its vicinity to the capital and to an intelligent, enterprising, moral and permanent population, and its nearness to a navigable river, favor both its discipline and economical management."

Pennsylvania.

There are two State prisons in Pennsylvania, called the Eastern and Western Penitentiaries, situated, the former at Philadelphia, the latter at Pittsburg. In these two prisons, alone of all other State prisons in the United States, the separate system of imprisonment is practised; at Philadelphia, with a strictness befitting the system, except as overcrowding necessitates for the present the duplication of the prisoners in a portion of the cells; at Pittsburg, with a greater degree of laxness, and with a leaning, in the minds of some at least who are concerned in its government, toward a change of system.

Eastern Penitentiary.

The report of the eastern penitentiary for 1867 is the thirty-ninth document of the kind which has been issued by the board of inspectors. The whole series, taken together, forms a body of prison literature of high value. The discussions embodied in them take a wide range, and many of these discussions are conceived in a thoroughly philosophical spirit, and are marked by rare ability. The later reports — thanks to the genius of the accomplished clerk of the prison, Dr. A. J. Ourt — contain a series of statistics, broader in their scope, digested with greater care, and arranged upon a more scientific basis, than those of any other American prison. The reports of the Massachusetts prison come next in this respect; but they lack the comprehensiveness and completeness of those of the eastern penitentiary. The statistical tables of these two prisons, together, offer a mass of well digested and trustworthy facts, which afford a basis for inferences of great interest and value touching the causes and cure of crime.

The average number of convicts in the eastern penitentiary for 1867 was 594. The total expenditures for the year, including salaries, was $76,155, and the total earnings from convict labor $25,744, which shows a deficiency of $50,411. The earnings, it will be noted, amounted to just one-third of the expenses, which is a much greater disproportion between the two than exists in any of the prisons conducted upon the congregate plan, at least where the State has not been recently organized and the number of prisoners is not, as a consequence, comparatively few. This disparity is due to the system of imprisonment practised here. Each convict works in his own cell, and no use can be made of machinery; besides which, three-fourths of all who enter the prison as convicts never learned a trade, and of the remaining fourth, few had learned the business which they are required to pursue in prison; consequently almost the entire prison population have to be taught the trade they practise there. This consumes a great amount of time without giving any pecuniary return. The three trades taught and pursued for emolument are cane-work, shoemaking and weaving. Nine-tenths of all the earnings come from these three branches of labor.

On the subject of rewards as an encouragement to good conduct and the cultivation of self-respect in the convicts, the following remarks of Mr. Halloway, the warden, will be found interesting:

"The subject of a system of rewards by commutation of sentence or otherwise, as a stimulus to industry and good conduct, has for some time been attracting considerable attention.

"It may be pertinent to the subject to state that this has been in operation here for some fifteen years, as an allowance for overwork.

"The money thus earned is paid to the prisoner on his discharge, or to his family during his imprisonment, or it may be expended in such articles as the rules of the institution will admit, excluding every thing in the nature of provisions; the law of the State being that 'no prisoner shall receive any thing but the prison allowance, except under the orders of the physician,' which has always been rigidly adhered to, and it is hoped will so continue.

"But at the same time good conduct and industrious habits are not always a reliable indication of the moral status of a prisoner. For, as a general rule, we find that professional men, as they are termed, are among the best behaved, and not unfrequently the most industrious, not from an honest love of industry, but because constant employment is found to be the best antidote to continued confinement.

"With the above mentioned stimulus to industry and good conduct before him, the acquisition of a trade, with religious and secular instruction provided by the State, and daily intercourse with the officers and other official visitors, the convicts in this penitentiary enjoy advantages which, if rightly improved, cannot but inure to their benefit.

"It is no part of our system to degrade men in their own esteem by harsh and rigid discipline, but, otherwise, to elevate and make them feel that, though at present fallen, the pathway to respectability and usefulness is still before them, and only needs the proper exercise of their own inherent powers to enable them to walk therein."

The chaplain, Rev. John Ruth, is indefatigable in his labors, and his report is exceedingly interesting. I wish it were possible to cite copiously therefrom, but want of space forbids. The following extracts are all we feel justified in giving:

"In the discharge of my duties, I have gone from cell to cell in regular order. By this means I have been able to make seven thousand seven hundred and eighty-nine (7,789) visits for moral instruction to a prison population of eight hundred and sixty (860). While making these visits, I have distributed fifty-seven thousand five hundred and fifty-four (57,554) pages of selected tracts and religious periodicals.

"The table here presented will show the monthly population of the house, with an estimate of moral and secular instruction:

MONTHS.	MORAL INSTRUCTION.			MORAL AND SECULAR INSTRUCTION.					
	Monthly population.	Visits per mo. for moral instruction, exclusive of Sabbath services.	Monthly visits per prisoner.	Number of convicts under secular instruction.	Secular lessons per mo.	M'thly lessons per man.	Percentage of population under secular instruction.	Monthly total of moral visits and secular lessons.	Total of moral visits and secular lessons to each prisoner, per month.
January	592	615	1.06	165	682	4.13	27.87	1,297	5.19
February	616	635	1.14	173	722	5.48	28.08	1,357	6.62
March	611	635	1.03	163	803	4 92	26.68	1,438	5.95
April	621	675	1.08	148	607	4.10	23.83	1,282	5.15
May	638	656	1.02	160	622	3.89	25.07	1,278	4.91
June	619	663	1.07	147	588	4.00	23.74	1,251	5.07
July	604	631	1.04	147	480	3.37	24.33	1,111	4.41
August	613	651	1.06	145	238	1.64	21.65	889	2.70
September	629	602	1.05	146	574	3.93	23.21	1,236	4.96
October	696	635	1.06	138	587	4.26	21.15	1,222	5.32
November	613	641	1.04	134	604	4.51	21.86	1,245	5.55
December	630	670	1.06	143	612	4.28	22.69	1,282	5.34

"Three hundred and sixty-four (364) religious services have been held in the several corridors during the year.

"One result of my observation and experience is a deeper conviction of the utmost importance of a more thorough religious education in childhood. The fact is apparent in almost all the cases under my notice, that where there was any religious influences surrounding the prisoner in early life, they were extremely irregular, and no settled principles were fixed in his mind. Attendance at church and Sabbath-school with any degree of regularity was rare, while a general neglect of parental authority is admitted.

"Yet a tribute is paid unconsciously, as it were, to the little religious influence exerted upon the few, in the fact that they are more obedient, as prisoners, and give hope of better fruits in a future battle with the temptations of life.

"The library, as a reformatory agency, is of incalculable value. It is made both a means of instruction and discipline. The desire for companionship with books, with those who are in any degree educated, and the anxiety to learn on the part of those who are illiterate, become a power in the hands of the warden for commanding obedience, while the prisoner becomes better informed as to duty of heart and life.

"Combined with our system of religious teaching and the healthy moral influence of the library, our school instruction is most apposite and useful. All who are capable, however illiterate on reception, learn something from books, and with few exceptions, the rudiments of a business education is obtained."

Western Penitentiary.

The average number of convicts in this prison for 1867 was 433; the total expenses $59,344; the total earnings $11,104, and the deficiency $48,240.

The capacity of the penitentiary reaches to only 318, while the number in confinement at the date of the report was 486. "Consesequently," say the inspectors, "we are obliged to violate the laws of separate confinement, and have greatly increased difficulty in preserving the order and discipline." The board, however, evidently care very little for the separate system, since, on the very next page, they recommend the erection of a much needed hospital, with one story of the building appropriated to a chapel and a school-room, either of which would be destructive of the principle of the system; much more both. Indeed, the library is already used for school purposes, as appears by the following extract from the chaplain's report: "Much attention has been paid to the instruction of our ignorant convicts; and it affords me pleasure to report that their progress in learning has been equal to our expectations, and their behavior in the *school-room* entirely irreprehensible." It adds to the interest of this statement to be told that "two of the more intelligent and exemplary prisoners are employed in the library as teachers, and the pupils generally manifest a strong desire to go into the school and be instructed." More than 250 were taught during the year to read and write.

The warden himself, in his report, favors a change of system, as appears from the following citation: "If the Legislature should decide on the erection of a new penitentiary, it would be well to consider carefully whether a different system might not be advantageously adopted. A combination of the separate and congregate systems as suggested by the Commissioners of the Prison Association of New York, in their report to the Legislature, January, 1867, is well worthy of consideration."

One of the greatest obstacles to the reformation of criminals in this prison is found to be in the universal hope of pardon entertained by the prisoners. The convict scarcely enters the prison precincts before he becomes absorbed in the one idea of securing a pardon; he expects executive clemency with confidence, and he looks upon his release simply as a question of time. The following remarks of the warden on this subject will be found both interesting and suggestive:

"I have on several occasions referred to the unhappy influence on the mind of the prisoner by the constant hope of pardon. When I came here, it was understood that no correspondence was allowed on the subject of pardon, and for a time nothing was said on it in the

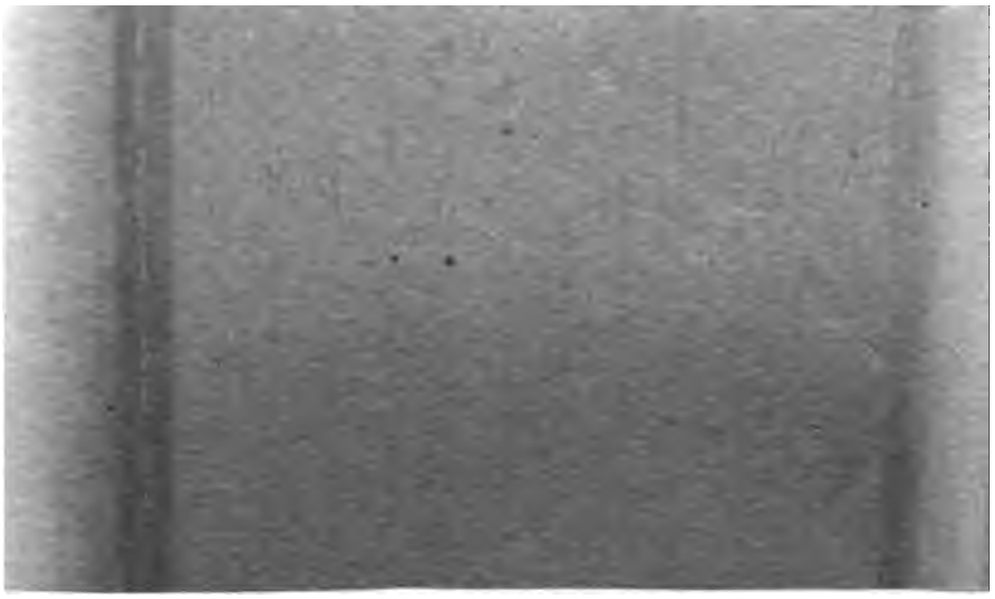
letters passing through my hands. Since then, by indulgence of the board, such correspondence has not been suppressed, and there is scarcely a letter goes out that does not contain an urgent appeal to friends to exert themselves for a pardon, and in many cases reproaching them for not doing something effective. In reply, the friends, unwilling to speak candidly, hold out hope of speedy release. Disappointment follows, and consequent impatience and restiveness, and an unwillingness to settle down contentedly to work. If each prisoner could realize that there was little or no hope of pardon, there would be less trouble in discipline and more hope of reformation."

Rhode Island.

The State prison in Rhode Island is making progress in the right direction. In May, 1867, a new set of officers were installed, who appear both to be imbued with a more generous spirit and to possess higher administrative ability than their predecessors. Since their induction into office there has been a marked change for the better in the discipline of the prison, and in the temper, conduct, appearance and condition of the convicts. The old parti-colored dress has been discarded as useless for any purpose of prison police, as a petty and unworthy addition to the penalty of imprisonment with hard labor, and as an impediment to the reacquisition by the convict of that sentiment of self-respect, which is essential to his reformation. A new and commodious chapel has been fitted up, and a fine cabinet organ has been placed in it, which has added greatly to the attractiveness, interest and beneficial effect of the religious services of the prison. There is a Sunday school, consisting of twenty classes, which is conducted with unusual spirit and efficiency. It is an important item in the moral appliances found here. The classes are under the instruction of competent and zealous teachers, some of whom have been in this service over ten years. Not only do these earnest, self-denying workers, seek the spiritual welfare of the prisoner through their Sabbath labors; but they follow him after his discharge, find work for him, and sometimes take him to their own home, till a suitable place can be found for him. The value of such efforts in the prisoner's behalf cannot be readily overestimated.

The library of the prison has been enlarged by valuable additions during the past year. The chaplain says of it:

"It is now well catalogued, and extensively used by the inmates. In the selection of the books, a wise discretion has been exercised, so that it would be difficult to find in any library of the same number of volumes so much reading adapted to instruct the mind and improve the morals of the reader. We are unable to fully estimate



the influence for good which these well-read volumes exert upon the intellectual and moral nature of the convict."

Still this officer wisely places the great instrumentality for regenerating and reforming criminals in a power which is higher and more efficient, because chosen and ordained by infinite wisdom. He says:

"In all our efforts to instruct and reform these men, I believe the gospel must ever occupy the chief place. If we would successfully meet their real necessities — if we would save them, we must remember that the origin of all their miseries lies in the corruption of the human heart and its alienation from God. The gospel can do for them what nothing else can, as it takes possession of the citadel of the heart, changing its affections, controlling its principles of action, subduing its vicious propensities and evil desires. It has healed, and can heal to the end of time, depravity the most foul and obdurate. It is 'the wisdom and power of God unto the salvation of every one that believeth.' 'The blood of Christ cleanseth from all sin.'"

South Carolina.

The penitentiary of South Carolina was burned during the late war for the Union.

A new edifice is now in process of construction, built in the most substantial manner and to last for ages, of granite, brick and iron. The whole concern, as regards building, government and discipline, is in the hands and under the control of Mr. Thomas B. Lee, Jr., engineer, architect and acting superintendent; an officer of extraordinary capacity and vigor. Material for the building was accumulated to some extent in 1866; but the work of construction was not undertaken till January, 1867.

On the 18th of April of the same year, the first convicts were received. From that date to the 30th of April, 1868, the whole number of convicts admitted was 280, of whom 39 were white and 241 colored, the latter being more than four-fifths of the whole, and having been slaves till the Emancipation Proclamation of President Lincoln broke their shackles and set them free.

Mark, now, what has been accomplished by these men, held in involuntary servitude as felons, under a vigorous and skillful leadership. As they came successively into the prison, they were at once set to work, learning the various handicrafts — carpentry, masonry, smithery, painting, etc. — requisite in the construction of the building. So rapidly did they master the trades at which they were put, that in a report made to Governor Orr on the 1st of May, 1868, Superintendent Lee informed that functionary that hired labor

had been superseded, that the penitentiary was then entirely independent of such labor, and convict mechanics were doing all the work required.

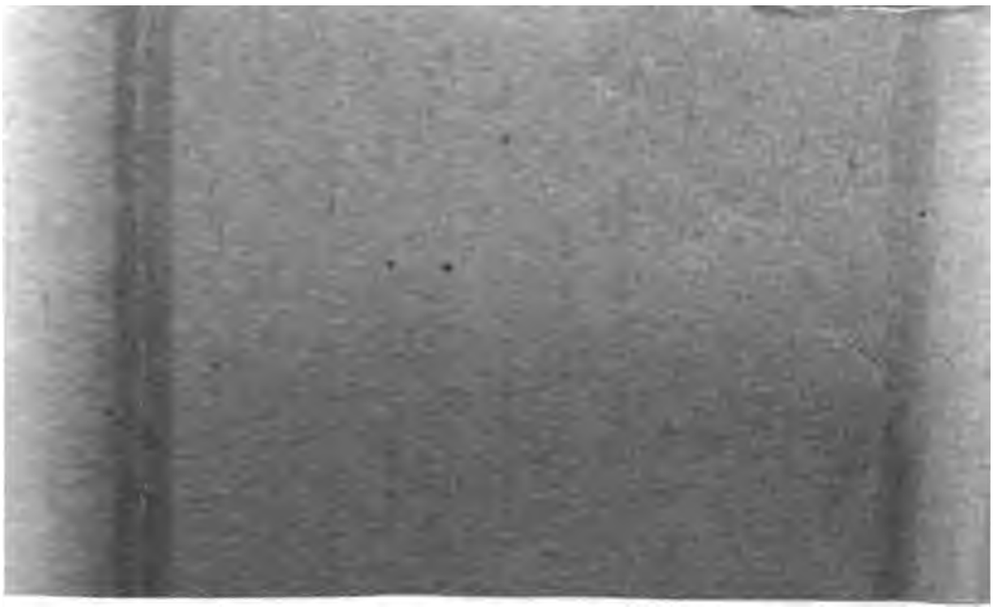
Nor is this all or even the most remarkable part of the statement. The average daily cost of maintaining a convict (including food, clothing, guarding, medical attendance, etc.), at the date of Mr. Lee's report, was thirty-four cents, while the average earnings *per capita*, amounted to one dollar a day. So that, to quote Mr. Lee's own words, "the convict has not only sustained himself by his labor, but has placed the State in possession of buildings and material, nearly equal in value to the entire expenditure in carrying on the work of rearing the penitentiary." In other words, these negroes, just emerged from slavery, having acquired their several trades since their incarceration, are not only paying the cost of their own maintenance, which is more than three-fourths of the State prisons in the country are doing, but are actually paying almost the entire cost of the prison which they are constructing.

This is a result which can scarcely be matched elsewhere in the whole history of convict labor. I should hesitate to give credit to the statement — so extraordinary is it — if it had not been made to Gov. Orr in an official document, and confirmed by that officer in his message to the Legislature, under date of April 30, 1868. In the message referred to, the Governor, commenting on this report, says: "The ability and fidelity of the officer in charge of the work furnish every guaranty that it will be energetically pressed and speedily completed; and with an economy to which the people of South Carolina have hitherto been strangers, in the erection of public works."

I have never been so impressed as while reading this history, with the wisdom of that dictum of a great military authority of antiquity, that he would rather have an army of mice led by an elephant, than an army of elephants with a mouse for its captain.

Nor have the results stated been accomplished, either by stinting the convicts, or pushing them beyond their strength. Their food is wholesome, abundant, and well prepared; their clothing warm and sufficient; and the discipline, though vigorous, nevertheless humane.

A deduction of one-twelfth of the sentence is granted to those convicts who labor diligently and conduct themselves to the approval of the prison authorities. This, however, is not done by a law of the State, but by an order of the Executive, who is invested by law with very large discretionary powers in the management of the penitentiary.



TENNESSEE.

The sources from which the following account of the State penitentiary of Tennessee is drawn, are: 1. The annual report of the board of directors for 1867. 2. A special report of the new board that went into office in May, 1868, made to the Legislature in extra session. 3. A communication to the Legislature, by a member of the present board, Mr. A. G. Sharp. 4. Sundry charges made by the contractors, Messrs. Ward and Briggs, against Col. Thomas B. McElwee, warden, together with the rebuttal of the same by the respondent. 5. Sundry letters addressed to the writer by officers of the prison; none of them, however, from the warden himself.

Of the 510 convicts in the penitentiary, at the date of the annual report, January 14, 1868, the great majority were blacks. Of these, 232 were sentenced for thefts, ranging from the value of a fence-rail (eight cents) to less than five dollars. The aggregate amount of property stolen, for which these 232 human beings were branded with the life-long stigma of felons, did not exceed $1,000; yet the cash cost to the State of their incarceration cannot be less (the report assures us) than $50,000 to $60,000. The directors add: "The great majority of the convicts are without education or trade, merely grown up children, ignorant, not to say stupid, formerly slaves. They are sentenced, in most cases, for *taking*, as they express it, some article of provision or clothing from their employer, who refused to pay them; and, perhaps, in many instances, with not much more idea of criminality on their part, than a dumb beast has that helps himself from his master's crib. It is plainly evident that a school of reformation or instruction is a much more fitting place for such uneducated *unfortunates* than a State prison."

The new board came into office on the 13th of May, 1868, and their report is dated August 1st, so that it covers a period of only two and a half months.

The average number of prisoners in 1867 is not stated in either report, but, as near as can be estimated from data furnished, it was about 500. The earnings, in 1867, amounted to very little, owing to the long idleness of the men, occasioned by a fire in June, that destroyed most of the workshops, and especially to a bitter controversy between the contractors, Ward and Briggs, and the warden Col. McElwee.

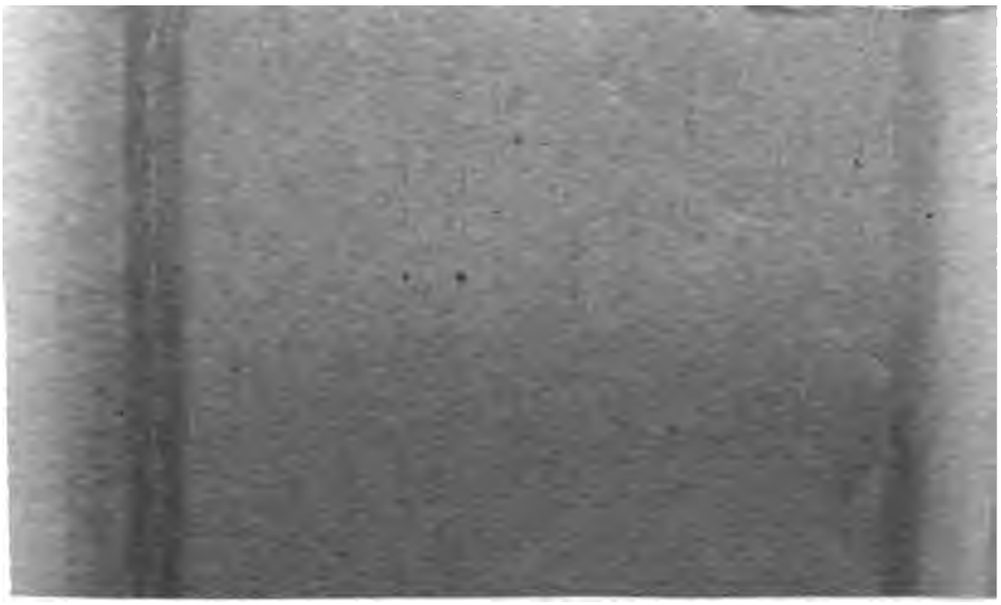
Messrs. Ward & Briggs had contracted for the labor of all the able-bodied convicts for four years from the 16th of July, 1866, at forty-three cents per day. During the first year of their contract and until the accession of Col. McElwee to the wardenship, the discipline had been stern and rigid. The prisoners had been frequently

and severely whipped on their bare backs with a leathern "cat," having four straps. It requires little knowledge of human nature to infer, as in point of fact we are told, that such discipline did them harm; they lost all feeling of self-respect; their manhood was crushed out; they became despondent, sullen and defiant; there were no rewards for good conduct, no encouragements held out to industry, no recognition of a faithful discharge of duty. Nothing but work, work, work, could shield the prisoner from the lash.

This state of things continued till the appointment, about the middle of the year 1867, of Col. McElwee (formerly State Senator) as warden. Of this gentleman the directors say: "The interior management and discipline of the prison has been constantly improving, and the peculiar fitness of the new warden for his place is daily more manifest." Col. McElwee at once abolished whipping, instituted a system of rewards for good behavior and diligence, and introduced milder and less irritating punishments. Just at this point his troubles began. The contractors (of whom Mr. Ward, formerly of the Kentucky penitentiary, is principal) began to complain.

They were used to having men whipped as slave owners and as lessees of penitentiaries; and notwithstanding the convicts became more cheerful, obedient and industrious, they refused to admit the fact. Hence a coolness arose between the parties, which culminated in the severance of all friendly relations between the parties. This state of things was mainly caused by the warden using his influence in the Legislature against a bill which the contractors had introduced *giving them full control as lessors for six years* — they agreeing to make the prison self-sustaining. Mr. McElwee's principal argument in opposition to the measure was their inhumanity, the motive they would have to maltreat the convicts, and the injury this would do them as men and prospective citizens. By dint of unwearied effort he kept their proposal from becoming a law. Stung by this defeat, Ward & Briggs got up a set of charges against Col. McElwee, hoping to have him removed, preliminary to another attempt to get possession. The charges have, on examination, been rejected as groundless by the Legislature, and the government of the warden has been fully approved by that body.

During the first seven months of 1868, 179 punishments were inflicted, most of them either for failing to accomplish the tasks assigned them or for doing their work badly. A large proportion of the men punished were reported from the hemp factory by a single guard, who is said to have been in the interest of the lessees, and who wanted to make it appear that they would not work. The hemp



factory is a dusty, disagreeable place, and the men in it were heavily tasked. Feeling that injustice was in this way done to the convicts, the directors, on the 16th of June, issued the following order:

"*Ordered*, that hereafter it shall not be ground of punishment that a convict *has not performed a task* imposed on him. Convicts must work diligently and faithfully, and any failure to do so will subject them to punishment. *The report of the guard* in each case will be accepted as evidence of the fact that the convict *has or has not* labored with diligence."

Thus it appears that, so long as the guard is satisfied with the labor of the prisoner, the latter cannot be punished. After the above order was issued, punishments materially diminished.

The punishments used in this prison are the dark cell, ball and chain, privation of Sunday liberty, and suspension by thumbs and wrists. The punishment by dark cell is rarely inflicted, and only in cases of wilful violation of rules. Privation of Sunday liberty needs some explanation. Prior to the present administration, Sunday liberty was unknown. Now the men spend all day Sundays outside their cells. They are allowed to talk, sing, write letters, read books, or walk about the yard, at their option. This liberty has rarely been abused, and it has been found to exert — so the officers testify — a salutary effect. It is an aid, and not a hindrance, to discipline. Suspension by the thumbs or wrists is a punishment which is practised in the army. In this punishment the men are not wholly suspended, the ball of the foot and the toes resting on the floor. They are kept up till they beg to be relieved, and promise conformity to the rules, which is from ten minutes to an hour and a half, according to the obstinacy or resolution of the culprit. I agree with the prison authorities that this punishment is not so destructive of the self-respect of the prisoner as the lash; at the same time, I must own an instinctive repugnance to it, and I earnestly hope that the humane and excellent gentlemen now charged with the administration will see their way clear to a speedy abolishment of it.

A letter from one of the officers, now open before me, contains this passage: "The good effect of the attempt to relieve the prisoners from excessive punishment is plainly shown by the appearance of the men themselves, and our visitors, of their own accord, notice a great change for the better. Were it not that we are experiencing all the evils of the contract system, so ably treated in your interesting reports, we would be able to advance beyond where we now are in testing the effects of a kind and intelligent discipline. So far as we have progressed, we are assured no other mode will bring reformation to convicts."

It is but recently that any steps have been taken towards educatin the convicts. They have been furnished with books, mostly primer as they are very ignorant. The negroes learn very well, and labo when they have a chance, on their A B C's. There is a library o Sunday school books and testaments for those who can read. The chaplain preaches every Sabbath in the dining-room (there is no chapel), and assists in a Sunday school. The men are all said to be desirous of learning.

There is a good, well-lighted, well-ventilated hospital.

It will, no doubt, be an occasion of surprise to many — it certainly was to the writer — to learn that Tennessee has had on her statute book, and in full practical operation, since 1836, a commutation law, of which the following is a copy:

"*Be it enacted*, That for the encouragement of the prisoners to conduct themselves with industry and propriety, it shall be the duty of the Governor, whenever it shall appear from the report of the agent that the conduct of a prisoner has been good, to commute the term of imprisonment, not exceeding two days for each month of his imprisonment."

This has been found to work well, and is carried out in all cases. The mode of doing it is as follows: A man is received for (say) one year. A number of days before the expiration of the year, a note is sent to the Executive, asking his pardon under the law. In all cases, the requisite certificate has been received, and the man discharged. Each pardoned convict — and all who earn the privilege are pardoned under the operation of the law — is restored to all the rights of citizenship. Only about twelve men have failed to get their full time allowed since 1836.

It is expected that the prison will come within $13,000 of being self-sustaining during the year 1868, exclusive of officers' salaries, which, by law, are always a charge upon the State treasury.

N. B. Since the above was written, Col. McElwee has been removed, and a successor appointed.

Texas.

The following extract from a letter, under date of Sept. 17, 1868, from Mr. T. C. Bell, superintendent of the State penitentiary of Texas, is all the information I have touching the condition of that prison:

"Your letter of the 7th of September, requesting information respecting the government, discipline, etc., of the Texas State penitentiary, I have just received. I regret that I cannot furnish you, in every particular, the information you desire. There has been no

report of the operations and condition of the penitentiary, made during or since the late civil war, within which time the finances of the institution have been under the control of five different agents, none of whom have made any report of their operations. The Legislature of the State of Texas, under the Constitution of 1845, met biennially, and the law governing the penitentiary required a biennial report of its operations by the superintendent and financial agent. In default of such reports I have no means of ascertaining what has been the amount of earnings or expenditures of the institution. I herewith enclose you a copy of the by-laws of the institution, which will inform you as to the system of labor, mode of punishment, etc. The average length of sentence for the year 1867, is three years and eighty-four days. There had been forty-four pardons granted for the time, thirteen deaths and eight escapes. There were received during the year two hundred and seventeen convicts. While the design of the law governing the institution is doubtless humane, and intended to be reformatory of the convict, it is at the same time very deficient in many respects. Our prisoners are preached to every Sabbath, but we have no library, or nearly none. A contribution of fifty dollars' worth of books by the American Tract Society, constitutes our entire stock. We have no system of rewards for good behavior, no overstent or commutation, the beneficial effects of which are made apparent in the excellent reports of your honorable Association.

"I have been requested by Hon. E. M. Pease, provisional Governor of our State, to furnish him with such suggestions as I might think would tend to the improvement of the government and discipline of our prison, with the promise that he would submit the same to our next Legislature for their consideration and action. I propose complying with his request, and would be glad to avail myself of your experience and general information upon this subject."

Vermont.

The reports of the directors and warden for 1867 are brief and perfunctory. That of the chaplain, on the contrary, Rev. Franklin Butler, is a highly interesting document. No better view of the condition and working of the prison can be given than that presented in the following extracts from this suggestive paper:

"The services of the chaplaincy for the past year have embraced the usual duties of public worship on the Sabbath, one-half day for the males, and a similar religious exercise for the females. During that portion of the year, in which it seemed practicable, a weekly Bible class has been attended, by divisions, so that all who were disposed have had the instruction commonly given in such cases.

By the aid of a lady, in the use of the melodeon that belongs
the prison, and with her voice, an interest in sacred music has be
inspired in a choir of the men, and a degree of skill in singing
been attained by them which is truly laudable. This, we have reas
to think, has helped to make the worship of the Sabbath a delig
to most of the inmates, and to augment the force of religious tru
upon men who have generally been little accustomed to public worshi

"During a portion of the year also, a class has been instructe
in the rudiments of reading, spelling and arithmetic. I have al
visited and conversed with the inmates privately, at their cells, an
endeavored, in such ways as I could, to instruct and move them t
the best endeavors for manly conduct while here, and christia
reformation for all time to come.

"These services combined constitute an amount of labor equiva
lent to that of clergymen generally, in parishes that include even
larger number of persons. They have required for their perform
ance the whole of the Sabbath, besides hours of visiting and teachin
in the week. The interest evinced by all concerned in these effort
for their good has been such as to afford great encouragement in my
labors.

"In the month of March, by the advice and co-operation of the
directors and superintendent, I undertook a thorough revision of
the library. The books were found, almost without exception, badly
torn, defaced, and in various ways mutilated; so that, out of some
four hundred volumes, scarcely two hundred could be found that
were at all fit for use, and hardly a single book could be reported
entire. These were renumbered and relabeled, with necessary rules
for the library attached. The *debris* were exchanged for Bibles and
Testaments.

"One hundred new volumes of a miscellaneous character, selected
with special reference to the peculiar wants of the readers, were
then added to the library, with good covers and neat printed labels
and rules. In addition to the expressed purpose of rigid enforce-
ment of the rules, a kind appeal was made to the men for care and
honor in the use of these books. I am happy to say that, thus far,
the care evinced in the use of these volumes is highly commendable,
and this, in connexion with the avidity of the perusal, proves beyond
question that men occupying a convict's cell are yet capable of
worthy endeavor, and of appreciating efforts for their mental and
moral improvement.

"Of the general conduct of the inmates during the past year, I
may say, my belief is that few institutions of a similar kind can
show a better record.

"The apartments of the female convicts are wholly unfit for the urposes of their confinement, although they are the best the buildngs afford. If the State really intended to complete the ruin of hose females (especially the young), which it sentences to the penientiary, it could not well devise a more effectual method than that which it now practises, by placing together, in a common receptacle, the old and young in years or in sins, the petty pilferer for a first offence and the incorrigible thief for a thousandth, the fallen creature of many crimes and the comparatively innocent victim of a single error.

"The females occupy that part of the buildings called 'the Old Prison,' and they remain together day and night without a matron, having free intercourse with each other at all times — the consequences of which are often painfully evident here, and they cannot be doubtful for the future. While the officers do the best they can under the circumstances, I regard this state of things as fraught with danger to the discipline and safety of the inmates — as ruinous to the remnant of moral principle still existing in the minds of these females when they enter, and as constituting obstacles to all efforts for inducing reformation, which are little short of hopeless insuperability.

"Explicit provision ought to be made for the instruction of those who are unable to read and write, in the rudiments of these and other necessary branches of common learning.

"Few convicts are willing to admit, on their entrance, that they cannot read — perhaps, not more than one in twenty — yet many cannot read without difficulty, and more are ignorant of spelling, writing, arithmetic, and geography. To teach them the rudiments of these necessary branches is to teach them self-respect, and so far to help them upward to reformation."

These are judicious suggestions, which may well claim the earnest consideration and secure the favorable action of the Legislature.

Vermont gets but forty-two cents per day for the labor of her convicts, in consequence of which she comes out with a deficit of $7,307 for the year, while the contractor is enriched by profits which might just as well go into the treasury of the State, where they rightfully belong. If the State worked her own convicts, or even obtained a fair price for their labor, the balance would be on the other side.

The following is a summary statement of the financial affairs of the prison for 1867: Total expenditures, $15,451; total earnings, $8,144; deficit, $7,307 — with an average of eighty-seven convicts.

Virginia.

The State penitentiary of Virginia, at Richmond, is, at the present time, under the care and management of Major Burnham Wardwell, with the title of superintendent. He entered upon his administration in 1868. As no report of the institution for 1867 was published, I am unable to give any account of its affairs for that year. For the information contained in the present sketch relating to 1868, I am indebted to the correspondence of the prison officers, especially that of the superintendent himself, and some extracts from the public press of Virginia.

Prior to the incumbency of Major Wardwell, the lash, whipping-post, gag-irons, and other instruments of torture were in frequent use in the prison. On his accession, these were at once discarded; and reason, humanity and religion, were brought into play as chief agents in its government and discipline. The present superintendent rightly looks upon convicts as men, though fallen, and still possessed of human sympathies and affections, as well as human passions and vices. The discipline he has instituted, is based upon this principle and conformed to its dictates. His ideas and practices encounter much opposition from the prejudices of the community; but these prejudices will in time yield to the force of truth, if passion and rashness are kept in abeyance, and prudence and moderation guide the administration. Indeed, there are indications that public opinion is already undergoing a change in the right direction.

Major Wardwell found the prison, on assuming the charge of it, in a very bad condition, the buildings greatly out of repair, and the discipline and labor much demoralized. The work of improvement was entered upon at once, the whole concern thoroughly overhauled, shops put in order, labor organized, etc., etc. The superintendent wrote me early in September, that, since the first of July, he had disposed of more than seventy-five carts and wagons, the product of prison labor, the carts at prices ranging from $30 to $50, and the wagons from $75 to $125. The principle on which the labor of the convicts is organized is nowhere stated in the correspondence before me. I judge, however, that the prisoners are not let to contractors, but worked on account of the State. I am favored with the following statement concerning the finances of the penitentiary for the first six months of 1868. With an average of convicts numbering 475, the total expenditures were $38,497, and the earnings $6,887, which gives an excess of expenses over earnings of $31,610. On this subject, Major Wardwell says: "You will see from the above that the expenditures greatly exceed the receipts. When I came here, the prison was much out of repair. I have been trying to put it in

good order, and to make the prisoners as comfortable as possible. This has never been a paying institution; it has always, in its palmiest days, sunk money. I hope in another year to make it meet its expenses."

The punishments now in use in the prison are solitary confinement and ball and chain. The prisoners, however, respond to kindly and humane treatment by a general exhibition of good temper and good behavior, thus obviating, to a great extent, the necessity of a resort to punishment in enforcing the discipline.

The convicts are reported as showing excellent capacity and aptness for the acquisition of trades, just as we have seen is the case with those in the penitentiary of South Carolina.

The moral and religious instructions and opportunities afforded to the prisoners are: preaching every Sabbath morning (though no regular chaplain is provided); Sunday school every Sabbath afternoon at four o'clock, and prayer meeting every Sunday morning and Wednesday afternoon. An elderly gentleman, commonly called "Father Willet," takes charge of the Sunday school, in which capacity he is greatly useful, being held in honor by the officers and much loved by the convicts.

The prayer meetings held on Sunday morning and Wednesday afternoon appear to be conducted with spirit, and to be attended with good effects. The superintendent, or some other officer, occupies the chair, and has a general charge of the exercises, but the prisoners themselves do the work. One convict selects the hymns, another reads a chapter in the Bible, after which all join in repeating the Lord's prayer. An hour or more is then spent in short exhortations and prayers, the officer in charge timing those who take part, and allowing from five to eight minutes to each one. Every moment of the hour is taken up; the spirit of the meeting never flags.

The result of the Sunday school and prayer meeting has been what would be called outside of prison walls "a revival." For three months prior to the date of the letter from which these facts are derived, no little feeling was manifested by many of the convicts on the subject of religion, and some forty or thereabout, professed to have met with a change of heart, and to have entered into the service of the Lord. The superintendent says: "In all, we have eighty-seven persons who would like to have a prison church and be admitted as members. There are some fifteen now wishing to be baptized by an old school Baptist minister. There is large work for a good religious teacher. As we have none, I must do what I can."

The great mass of the convicts are blacks. Four-fifths of all are without the ability to read on their admission. Most of them show

an intense desire to learn. In four months from the time of Major Wardwell's accession to the wardenship, more than fifty convicts, who did not know a letter at that time, had learned, even with the limited opportunities afforded them in the prison, to read and spell; many of them having advanced far enough to read chapters in the Bible with considerable fluency.

Under date of September 11th, 1868, the prison physician, Dr. Burton, writes:

"Since April last, there has been no disease in the prison except bowel disease, such as indigestion, torpor of the bowels, diarrhœa and dysentery; all of which are incident to the mode of life and diet of the prison. There has been but one death, and that of a woman who was severely beaten by two of her companions. With an average of four hundred prisoners since April, it is my belief that the small amount of serious disease, and the low rate of mortality, being only a fraction of one per cent, is without a parallel in the history of prison life."

West Virginia.

Repeated letters were written, making inquiries in regard to prison affairs in West Virginia, but no replies were received.

Wisconsin.

The State prison in Wisconsin is still in process of construction, though now approaching its completion. All the permanent buildings composing the prison have been erected by convict labor. Yet this is one of the best built and most substantial prisons in the country.

As regards the finances for 1867, it appears to me, after the most careful study of the figures, that the warden (called in Wisconsin commissioner), Mr. Henry Cordier, has, in some way, committed an error, to the discredit of the prison labor. This opinion will appear so presumptuous, that a statement of the grounds of it will be necessary. Mr. Cordier states the total expenditures at $54,835, and the total earnings at $54,425. Now in table A, the current expenses including subsistence, clothing, bedding, fuel, etc., are put down at $25,426, and in table C, the officers' salaries are stated at $15,060. Adding these sums together the result is $40,486. I judge, therefore, that Mr. Cordier's amount of $54,835 includes something besides what properly constitutes "current expenses." I am confirmed in this judgment by the consideration that, if that amount is the actual cost of subsisting the prisoners, the average number being 194, the cost *per capita* would be $282, a figure altogether too high for such a purpose. It is possible that there ought, in like manner, to be some

deduction from the sum put down as earnings; but since, if that is so, I know not what it is, I retain that statement. The financial exhibit for the year will then stand thus: total expenditures, $40,486; total earnings, $54,425; excess of earnings over expenditures, constituting net profit, $14,939, and these are the figures that will appear in the tabulated statistics of the State prisons of the country, as given hereafter. The contract system is not in use here.

The State prison of Wisconsin, under the administration of its able and excellent commissioner, Mr. Cordier, has become, to the friends of prison reform throughout the country, an object of strong interest and earnest study. Progress is still its motto. The chief advance during the year 1867, was the institution, under authority of law, of a prison school for the training of all who need further secular instruction. This reform has proved, in the first year of its trial, an eminent success. The aggregate attendance of convicts during the year was sixty-eight. Thirteen were ignorant of the during the year was sixty-eight. Thirteen were ignorant of the alphabet when received; and the rest could read but imperfectly. Only six, on their reception, were able to write letters to their friends, and of these the writing could be deciphered with difficulty. The infrequency of the school — only two afternoons a week being given to it — has been an impediment to rapid acquisition; yet the progress has been highly gratifying. All but eight learned during the year to read with a good degree of fluency; and few, at the end of the year, had to call upon others to write their letters. Not only are spelling, reading and writing taught, but also arithmetic, both mental and written, and its fundamental principles are well mastered.

The school has heretofore been taught by the chaplain, Prof. Henry Drew, assisted by some of the better educated convicts, who discharged their duties as teachers with equal zeal and credit. Not a solitary breach of order occurred during the year, but all behaved with entire decorum. This experiment, Mr. Cordier avers, must set aside all doubt as to the practicability and utility of convict schools. His school he found not only not prejudicial to discipline, but highly promotive of it.

All convicts are taught a full trade in this prison, who remain long enough to learn it, provided they possess the requisite aptitude. The proportion of reformations I believe to be greater, and of relapses smaller, than in any other American prison.

The following table presents the statistics of the State prisons for 1867, as far as they can be gathered from the reports examined and the letters received:

STATES.	Average number of prisoners in 1867.	Total amount of expenditures.	Total amount of earnings.	Excess of expenditures.	Excess of earnings.	Cost per capita.	Earnings per capita.	Average length of sentences.		PERCENTAGE OF PRISONERS WHO WERE									
								Y.	M. D.	Unable to read.	Intemperate.	Sentenced for life.	20 years old and under, when committed.	Pardoned.	Had not learned a trade.	Escaped.	Died.	Natives.	Foreigners.
Alabama	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Arkansas	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
California	704	$113,843	$89,814	$74,029	$1,706	$162	$856	5	1 3	30	60	3½	17	6½	88	2	1¾	35	65
Connecticut	300	23,460	25,166	....	....	118	136	4	8 8	....	....	8½	6½	5	13½	75	9	3	46
Delaware	40	....	....	....	....	....	....	1	10 4	....	60	2½	33	13½	75	....	....	3	50
Florida	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Georgia	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Illinois	960	....	....	....	....	....	....	3	11 4	20	50	1½	20	20	70	2	....	71	29
Indiana { Northern	245	49,862	43,122	7,740	....	203	176	3	2 4	24½	....	4	18	....	....	....	1	81	19
Indiana { Southern	424	66,598	54,270	12,328	....	156	128	3	4 23	21¼	....	6	23	6	68	....	4½	82	18
Iowa	146	40,256	19,589	20,667	....	276	134	2	4 5	10	20	4	46	14	66	....	....	70	30
Kansas	128	42,932	31,226	11,706	....	335	251	3	9 6	20	50	....	25	5	94	....	....	85	15
Kentucky	500	....	....	....	....	....	....	3	3 4	6	....	....	27	....	67	1	....	82	18
Louisiana	225	72,106	13,266	58,813	....	320	59	1	7 8	....	....	4½	26	5	98	20	7	68	32
Maine	132	94,730	17,789	6,931	....	157	135	4	9 3	6	85	12	22¾	12	83	¾	3	84	16
Maryland	667	101,506	72,984	28,522	....	152	109	5	5 6	53	70	3	26	17	93	¾	1½	66	34
Massachusetts	537	101,551	133,697	....	32,146	156	249	3	10 6	12	80	9½	8½	3½	60	1½	2	72	28
Michigan	531	82,608	57,857	24,751	....	144	109	3	2 14	6¾	33	1	25	9½	66	1½	2	69	31
Minnesota	48	16,407	5,041	11,366	....	349	105	3	4 3	3	30	4½	22¾	41½	60	22	3½	76	24
Mississippi	153	....	....	....	....	....	....	....	....	....	....	....	....	18½	....	....	....	....	....
Missouri	550	197,703	69,731	57,982	....	232	169	4	.. 15	15	47	....	20	21½	40	2	1½	94	6
Nebraska	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Nevada	21	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
New Hampshire	136	35,140	30,108	4,968	....	199	238	5	8 13	21-5	80	4½	20½	10	70	....	2½	79	21
New Jersey	540	134,389	31,787	92,602	....	199	50	3	10 10	31	60	2½	21	3½	65	....	1½	68	32
New York { Auburn	931	169,804	131,509	38,295	....	182	143	4	10 28	13	54	2½	18¾	6½	68	....	1½	69	31
New York { Sing Sing	1,403	295,900	191,188	104,712	....	211	136	5	1 3	17½	40	2½	23	2	65	....	1½	67	33
New York { Clinton	513	118,632	189,611	....	70,979	231	274	4	10 22	10½	53	4	21½	8½	67	1½	2	61	39
North Carolina	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....	....
Ohio	1,601	115,949	157,344	....	17,903	119	157	3	6	15¾	35	6½	21	6	70	....	1½	72	28
Oregon	60	17,126	8,381	8,745	....	348	107	3	8 1	....	....	9½	....	9	....	22	4	....	....
Penn. { Eastern Penn.	594	170,135	25,744	20,411	....	128	44	2	8 16	23	94	....	....	3½	70	....	1½	79	21
Penn. { Western Penn.	428	59,344	11,104	48,240	....	139	26	2	5 15	15½	62	....	20½	8	70	....	....	91	9
Rhode Island	64	8,023	7,057	966	....	134	121	3	7 7	....	....	1½	6½	11	60	....	....	80	20

| | | |

In a few of the thirty States, the averages of whose imprisoned convicts for 1867 are given in the foregoing table, the said averages are estimated from data contained in their reports, but the approximations, it is believed, are very close. If the numbers imprisoned in the other seven States bear the same proportion to their respective populations as in the States where the figures are given, the aggregate average of convicts in all the State prisons of the country, for the year under review, would be 15,346, which will not probably vary 300 from the exact truth.

No doubt some errors have crept into the statistical exhibit given above, especially in the financial statements embodied therein. There is no uniformity in the mode of keeping and making up the accounts in different State prisons; and in some the method is so complicated and confused, that it is not easy to arrive at clear and satisfactory results. There is reason to think that the obscurity is sometimes intentional. The temptation, on the part of prison officers, is so strong to make a favorable financial showing, that, occasionally, they strain a point to that end. Still, having taken great pains to sift the financial as well as the other statistical information contained in the reports examined, I am satisfied that the errors in the table are not material, and that the facts embodied therein are substantially true, and may be regarded as a sound basis for such inferences and arguments as they fairly warrant.

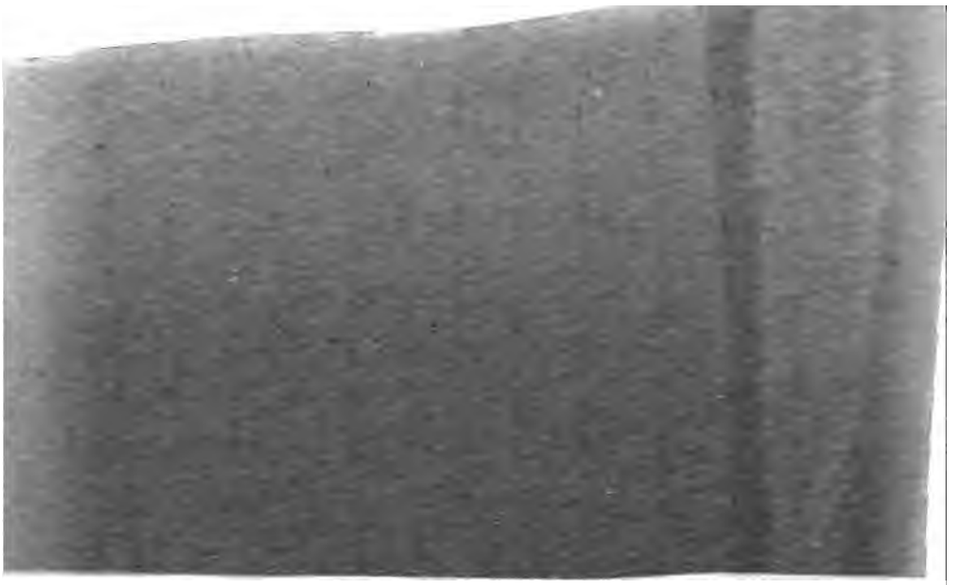
The pecuniary affairs of the prisons, as a matter of course, offer an interesting study. The average number of convicts in the twenty-six State prisons, whose expenditures and earnings are given, was 10,873. The aggregate expenditures of these prisons was $1,931,450, and the sum of their earnings $1,299,407. The average cost *per capita* was $177, and the average earnings $119. If all the prisons had been managed as economically as those of Connecticut and Ohio, they would, in the aggregate, have been self-supporting. Six of the prisons enumerated—nearly one-fourth—earned a surplus over expenditures, amounting, in the aggregate, to $81,231; and in a few others, the income from earnings was nearly equal to the cost of support. From estimates given in the reports, a large increase of revenue from this source was anticipated in 1868. If these expectations should be realized, the number of self-supporting institutions will be considerably augmented. Still, it should never be lost sight of, that money-making is a very subordinate consideration in the management of a prison. I quite concur in the opinion, already cited, of the directors of the Ohio State penitentiary, that "more attention is due to the reformation of the convicts than the realization of profits from their labor." While the two are by no means incompatible, the former is

of primary, the latter only of secondary, importance. The one is fundamental, the other merely incidental. If the first is really accomplished, the great end is carried, and whatever it may have cost, it will be found cheapest in the long run.

The column which gives the percentage of minors incarcerated in our State prisons has a melancholy interest. One-fourth part of the inmates of these institutions—3,683—had not reached their majority at the time of their committal; and in one the proportion was within a very small fraction of half, while in others it was a full third. In this respect things are different from what they were. Unhappily, the tendency in every department of vice and crime is *youthward*. Both criminals and drunkards average many years younger now than they did a quarter of a century ago. Since the preparation of this paper was commenced, among other indications of this tendency, there have been notices in the public papers of the theft of a horse and wagon, in New York, valued at $200, by a lad twelve years old, and of a murder committed in Michigan by a boy not quite nine years old.

Facts like these, as well as the appalling percentage of minors immured in our State prisons, in the generality of which, as at present conducted, there is little chance for reformation, and where, on the contrary, a large proportion of them are sure to be demoralized, hardened and trained to be adepts in crime, have turned the thoughts of humane and thinking men to the question of instituting separate prisons for those who are too old for reform schools, and too young to be safely shut up with practised offenders; prisons where greater attention can be given to educational training than in institutions designed for criminals of a more advanced age.

I venture to insert here a brief extract from a letter recently received from a gentleman in one of our large cities, whose official position brings him into frequent contact with young criminals: "Let me ask you the practicability of having a large prison farm, where this class of offenders could be sent, from three to ten years. Furnish them with the comforts of a home; treat them kindly, give them time to read and study, give them good Christian training; make them work, so that the institution would be self-sustaining, but, keep them in a long time, for the double purpose of making the punishment deterrent, and of giving time for gospel teaching to take effect." These are timely thoughts, whose wisdom is equal to their philanthrophy. They point to what I cannot but regard as a desideratum in our penal systems — the creation of a class of institutions for youthful transgressors which might be properly made to



assume more the character of a well-conducted farm school, or workhouse school, than of an ordinary prison.

A glance at the column of pardons reveals the fact that no less than thirteen per cent of the inmates of our State prisons received pardons during the year. In one prison, the percentage of the pardoned rose to 41½; in another to 36; in a third to 30½; and in several others to 20 and over. Many of the wardens complain of this excessive use of executive clemency. One says: "The facilities for obtaining pardons in our country are so great that it has become the all-engrossing thought of convicts; the probability of it is often discussed on the way to prison; it is the theme of nine-tenths of the letters written, and of the personal interviews of friends; and it preys upon them night and day." It is easy to see how such a state of mind will tend to obstruct reformation. Indeed, it leaves neither time nor strength to be given to such a purpose; the whole thought and energy of the convict are absorbed in the effort for his release.

For myself, I am willing to avow a thorough conversion to the doctrine of that eminent criminal jurist of England, Matthew Davenport Hill, that the true theory of punishment is to replace time sentences by reformation sentences. It is a gratification to know that this principle is making progress among the thinking men of this as of other countries. Its practical adoption would relieve the question of pardons of all embarrassment, since it would put the fate of the prisoner in his own hands; that is, within certain fixed limits, for under this and every penal system, there must of necessity be a minimum of punishment; but beyond that restriction, it would rest with the prisoner himself to open or keep shut the doors of his prison-house.

The connection between ignorance and crime will be patent to all on an inspection of the column which gives the proportion of convicts unable to read. That proportion amounts, on the average, to exactly 25 per cent — one-fourth of all the imprisoned.

There is another lesson equally patent from an examination of the table, viz.: That the want of a trade is a great occasion of falling into crime. Three-fourths of the convicts make no pretense to having acquired a trade; and of the remaining fourth, a full moiety had done so in a very imperfect degree. Of the convicts committed in 1867 to the eastern penitentiary, who had been apprenticed, only a third served out their time, while the remaining two-thirds left before its expiration.

That intemperance is a prolific source of crime is apparent from a glance at the column devoted to that subject. Fifty per cent, within a fraction, admitted themselves to be intemperate. But this

was upon a hurried examination, such as is customary on receiving prisoners, when many answered either with conscious falsehood, or with very confused notions of what constitutes intemperance, and of the boundary which separates it from moderation. In my conversations with hundreds upon hundreds of criminals, more than three-fourths of them have admitted that they were addicted to the intemperate use of alcoholic liquors. "If it had not been for the grog shop, I should never have been here," is the stereotyped complaint, that issues from every cell and swells in melancholy chorus through all the corridors of our prisons. Of other causes of crime, it may be said that they have "slain their thousands," of this, that it has "slain its ten thousands."

V. COMMUTATION LAWS.

By the Corresponding Secretary.

Twenty States, as far as known to the writer (there may be others of which he has no knowledge), have passed what are called Commutation acts, viz.: California, Connecticut, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, Nevada, New York, Ohio, Oregon, Tennessee, Vermont, Wisconsin, and one other whose name is not known to me. A like act has also been passed by the Congress of the United States. The acts adopted by these States and by the United States are as follows:

California.

The Legislature of California, at its session last winter (1868), amended its commutation act, passed at the previous session, so as to give to the convict a deduction of five days from each month of his sentence for good behavior for the first two years, and an additional day monthly for each two successive years, until after the tenth year, when it remains stationary at ten days per month. This fact appears in the third annual report of the California Prison Commission, but I am unable to give the text of the law.

Passed originally in 1866; in its present form in 1868.

Connecticut.

Be it enacted, etc.: The warden of the State prison shall keep a record, in such manner and form as the directors shall prescribe, of the punishments inflicted upon each person, showing the mode and degree of punishment, and the offence for which such punishment was inflicted; and he shall keep a like record of the conduct of each prisoner, and for each month, in which a prisoner appears, by said record, to have observed all the rules and requirements of the prison, and not to have been subjected to punishment, three days shall, with the consent of the directors, be deducted from the term of the sentence of said prisoner; and for each month that it shall appear from such record, that the conduct of a prisoner has been positively good, such prisoner having rendered a prompt and cheerful obedience to the rules and requirements of the prison, five days shall be deducted from the term of the sentence of such prisoner.

Passed in 1862.

Illinois.

Section 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That hereafter it shall be the duty of the warden of the penitentiary to keep a book in which shall be entered a record of every infraction of the published rules of discipline with the name of the convict so guilty, and the punishment inflicted therefor, and every convict who may have been sentenced for a term of years, who shall

at the end of each month have no infraction of the discipline so recorded against him, shall for the first month be entitled to a diminution of one day from the time he was sentenced to the penitentiary, and if at the end of the next month no infraction of the discipline is recorded against him, he shall be entitled to two additional days diminution from his sentence. And if at the end of the third month no infraction of the discipline is recorded against him he shall be entitled to three additional days diminution from his sentence, and for each subsequent month he shall so continue in his good behavior he shall be entitled to five days diminution of time from his sentence, and if any convict shall so pass the whole time of his sentence, he shall be entitled to a certificate thereof from the warden, and, upon presentation thereof to the Governor, he shall be entitled to a certificate of restoration to all his rights of citizenship which may have been forfeited by his conviction, which certificate shall be taken as evidence of the fact in all courts of record, and elsewhere as evidence of his restoration; and it shall be the duty of the warden to discharge such convict from the penitentiary, when he shall have served the time of his sentence, less the number of days he may be entitled to have deducted therefrom in the same manner as if no such deduction had been made. *Provided*, that if such convict shall be guilty of a violation of the published rules of the prison after he shall, as provided in this section have become entitled to a diminution of his term of service to which he has been sentenced, he shall forfeit all the rights he has acquired under this act. It shall be the duty of the warden to make known to the convicts now in the penitentiary and those who may hereafter be received, the provisions of this act.

Passed in 1863.

Iowa.

Sec. 3. It shall be the duty of the deputy warden to keep a book in which shall be entered a record of every infraction of the published rules and discipline, with the name of the prisoner so guilty, which record shall be submitted to the inspectors at each quarterly meeting, and every prisoner who shall have been sentenced for a term of years, who shall at the end of the month have no infraction of the discipline recorded against him, shall for the first month be entitled to a diminution of one day from the term he was sentenced to the penitentiary; and if at the end of the second month no infraction of the rules is recorded against him, two additional days of diminution from the sentence; and if he shall continue to have no such record against him for the third month, his time shall be shortened three additional days; and if he shall so continue for the subsequent months, he shall be entitled to four days' diminution of time from his sentence for each month he shall so continue his good behavior; and if any prisoner shall so pass the whole term of his service, or the remainder of his sentence after this act takes effect (provided he shall have the time of one year yet to serve), he shall be entitled to a certificate thereof from the warden; and upon the presentation thereof to the Governor, he shall be entitled to a restoration of the rights of citizenship, which may have been forfeited by his conviction, and it shall be the duty of the warden to discharge such convict from the penitentiary when he shall have served the time of his service, less the number of days he may have been entitled to have deducted therefrom, in the same manner, and as if no such deduction had been made; provided that if such convict shall be guilty of a violation of the printed and published rules of the prison, after

he shall, as provided in this section, have become entitled to a diminution of his time of service to which he has been sentenced, the inspectors shall have the power to deprive, at their discretion, such convict of a portion or all (according to the flagrance of the violation of discipline) of the diminution of the term of sentence to which he had been previously entitled by this act.

Passed in 1857.

KANSAS.

SEC. 28. The warden shall cause to be kept a record of each and all infractions of the rules of discipline by convicts, with the names of the convict or convicts offending, and the date and character of each offence, which record shall be placed before the directors at each regular meeting of the board; and every convict who shall have been sentenced for a term of years, whose name does not appear upon such record of reports, shall be entitled to a deduction of one day per month from his sentence for each month he shall continue to obey all the rules of the penitentiary, for the period of one year from the passage of this act. All such convicts who shall have been entitled to a deduction of one day per month, according to the provisions of the above section, shall, for a likef aithful observance of all the rules for the second year, be entitled to a deduction of two days per month; and if any convict shall continue his deportment for the remainder of the time of his sentence, after the expiration of two years, he shall be entitled to a deduction of four days per month until his time shall expire. If any convict shall be guilty of willful violations of the rules of the prison, after he shall [have] become entitled to a diminution of service to which he has been sentenced, the directors shall have the power to deprive such convict of a portion or all of such diminution of service to which he had previously become entitled by virtue of the provisions of this act; and it shall be the duty of the directors to direct the discharge of such convict when he shall have served out his sentence, less the time which shall be deducted therefrom by virtue of the provisions of this act.

Passed in 1867.

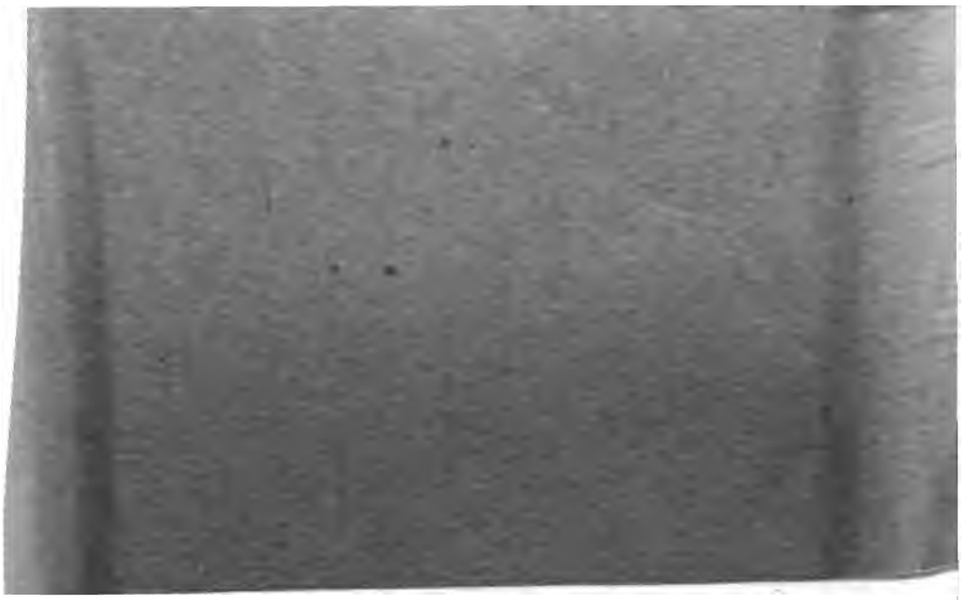
MAINE.

SEC. 1. The warden of the State prison shall keep a record of the conduct of each convict, and for every month that such convict shall appear by such record to have faithfully observed all the rules and requirements of the prison, the warden may recommend to the executive a deduction from the terms of service of such convict's sentence according to, but not exceeding, the following rule and proportion: For a convict under the sentence of two years or less, one day for each month's good conduct; three years or less, and more than two years, two days; four years, three days; five years, four days; seven years or less, and more than five years, five days; nine years or less, and more than seven years, six days; ten years and less than fifteen years, seven days; fifteen years and less than twenty years, eight days; and for all other convicts, except those sentenced to perpetual imprisonment, ten days.

Passed in 1866.

MASSACHUSETTS.

SEC. 51. The Warden shall keep a record of the conduct of each convict, and for each month that a convict appears by such record to have faithfully observed all the rules and requirements of the prison, and not to have



been subjected to punishments, there shall, with the consent of the Governor and Council, be deducted from the term or terms of his sentence as follows: From a term of less than three years, one day; from a term of three and less than seven years, two days; from a term of seven and less than ten years, four days; from a term of ten years or more, five days.

Passed in 1859.

Michigan.

Sec. —. That the agent of the State prison shall keep a record of each and all infractions of the rules of discipline by convicts, with the name of the convict or convicts offending, and the date and character of each offence, which record shall be placed before the inspectors at each regular meeting of the board; and every convict who shall have been sentenced for any term less than life, whose name does not appear on such record of reports, shall be entitled to a deduction of five days from his sentence for each month he shall continue to obey all the rules of the prison.

Sec. — If any convict shall be guilty of a willful violation of the rules of the prison, after he shall have become entitled to a diminution of services to which he has been sentenced, the inspectors shall have power to deprive such convict of a portion or all of the deductions from the term of his sentence, to which he had previously become entitled by virtue of the provisions of this act; and it shall be the duty of the inspectors to direct the discharge of such convict when he shall have served out his sentence, less the time which shall have been deducted therefrom by virtue of the provisions of this act.

Passed in 1861.

Minnesota.

Be it enacted by the Legislature of the State of Minnesota: Sec. 82. It shall be the duty of the warden to provide and keep a book in which shall be entered a record of all infractions of the published rules and discipline of the prison, with the name of the convict or convicts offending, and the date and character of each offence, which record shall be submitted to the inspectors at each regular meeting of the board; and every convict who shall have been sentenced for a term of one or more years, who shall at the end of the first month of his imprisonment have no infraction of the discipline of the prison recorded against him, shall for the first month be entitled to a diminution of two days from the term of his sentence; and if at the end of the second month no infraction of the rules is recorded against him, four additional days of diminution from the sentence; and if he shall continue to have no such record against him for the third month, his time of sentence shall be reduced six additional days; and if he shall so continue for the subsequent months, he shall be entitled to six days' diminution of time from his sentence for each month he shall so continue his good behavior; and if any convict shall so pass the whole term of his service, or the remainder of his sentence after the passage of this act (provided he shall have the term of one year yet to serve), he shall be entitled to a certificate thereof from the warden, and upon the presentation thereof to the Governor, he shall be entitled to a restoration of the rights of citizenship, which may have been forfeited by his conviction; and it shall be the duty of the warden to discharge such convict from the prison when he shall have served the time of his sentence, less the number of days he may have been entitled to have deducted therefrom, in the same manner and as if no deduction had been made; provided, that if such convict shall

be guilty of a violation of any of the printed and published rules of the prison after he shall, as provided in this act, have become entitled to a diminution of his time of service to which he has been sentenced, the inspectors shall have the power to deprive, at their discretion, such convict of a portion or all (according to the flagrance of the violation of discipline) of the diminution of the term of sentence to which he had been previously entitled by this act.

SEC. 83. This act shall take effect and be in force from and after its passage.

Approved Feb. 19, 1867.

MISSOURI.

Be it enacted by the General Assembly of the State of Missouri, as follows:

SEC. 1. That when any person imprisoned in the penitentiary of the State of Missouri shall have, during the whole time of his or her imprisonment, behaved according to the rules and regulations of that institution, to the full satisfaction of the inspectors, then the said inspectors on the expiration of three-fourths of the time for which such person was sentenced, shall write and sign a testimony to that effect, and present the same to the Governor of Missouri, with a recommendation that such person be pardoned.

SEC. 2. That the same shall be done in regard to persons under the sentence of imprisonment for life, after having been imprisoned for fifteen years, and complied with the conditions named in the foregoing section.

SEC. 3. This act to be in force from and after its passage.

Approved Dec. 16, 1865.

NEW HAMPSHIRE.

"The warden of the State prison shall keep a record of the conduct of each convict, and for every month that such convict shall appear by such record to have faithfully observed all the rules and requirements of the prison, the warden may recommend to the Executive a deduction from the term of service of such convict's sentence, according to, but not exceeding the following rule and proportion: For a convict under the sentence of two years or less, one day for each month good conduct; three years, or less, and more than two years, two days; four years, three days; five years, four days; seven years, or less, and more than five years, five days; nine years, or less, and more than seven years, six days; ten years, and less than fifteen years, seven days; fifteen years and less than twenty years, eight days; and to all other convicts, except those sentenced to perpetual imprisonment, ten days."

Passed in 1867.

NEW JERSEY.

Whereas, it is desirable to promote the permanent reformation of the convicts in the State prison, by incitement to industry, good behavior and self-improvement; therefore,

1. *Be it enacted, by the Senate and General Assembly of the State of New Jersey*, That from and after the passage of this act, it shall be the duty of the inspectors of the State prison to assign to one or more officers thereof, the keeping of a correct daily record of the conduct of each prisoner, etc., of his labor, whether satisfactory or otherwise, and it shall be the duty of the keeper to see that the said record is regularly made and preserved under his care.

2. *And be it enacted*, That it shall be the duty of the said inspectors to make reports three times in each year from the said record of the conduct and labor of each prisoner, and said inspectors are hereby required to make and deliver a copy of the said reports to the secretary of State, on the Tuesday immediately previous to the meeting of the court of pardons, to be submitted to said court on the first day of their regular meeting, and afterward filed in the office of the said court.

3. *And be it enacted*, That for every month of faithful performance of assigned labor by any convict, as shown by the said record, there may be remitted to him by the said court of pardons, two days of the term for which he was sentenced, and for every month of continuous orderly deportment, two days; and for the manifest effort at self-improvement and self-control, one day.

Passed in 1868.

New York.

The People of the State of New York, represented in Senate and Assembly, do enact as follows: Section 1. Section two, of chapter four hundred and fifteen, of the laws of eighteen hundred and sixty-three, is hereby amended, as follows: An allowance for good conduct shall be made of one month on each of the first two years; of two months on each succeeding year to the fifth year; of three months on each following year to the tenth year; and of four months on each remaining year of the time of their imprisonment. The inspectors of State prisons, and the respective boards or committees entrusted with the general management of the several penitentiaries in this State, by the warden, superintendent, or other officers having charge thereof, may make this section applicable to convicts now imprisoned in the several State prisons and penitentiaries, to the end that such convicts may receive the benefit of their good conduct in the past.

[A commutation act was originally passed in New York in 1817, but as far as appears, was never carried into effect. Her existing act was passed in 1862, and amended to its present form in 1864.]

Ohio.

Section 30. In order that good behavior may be properly rewarded, it shall be the duty of the board to provide, in its rules and regulations, for a correct daily record of the conduct of each prisoner, and his fidelity and diligence in the performance of his work; and each one who is sentenced for a definite time, shall be entitled to diminish the period of his sentence, and receive a portion of his earnings and to citizenship, under the following rules and regulations:

1. For each calendar month, commencing on the first day of the month next after his arrival at the penitentiary, during which he shall not be guilty of a violation of the discipline or any of the rules of the prison, and shall labor with diligence and fidelity, he shall be allowed a deduction of five days from the period of his sentence and a portion of his earnings, not exceeding one-tenth of the average price of convict labor.

2. For every violation of the rules and discipline, or the want of fidelity and care in the performance of work, the convict shall not only forfeit all gained time and earnings for the month in which the delinquency occurs, but according to the aggravated nature or frequency of his offences, the board may deduct a portion or all of his previously earned time and money, or either of them.

3. If a convict shall pass the entire period of his sentence without any violation of the rules and discipline, he shall be entitled to a certificate thereof from the warden, and on presenting it to the governor, he shall be restored to citizenship.

4. If he is prevented from labor by sickness or other infirmity, not intentionally produced by himself, he shall be entitled, by good conduct, to two and a half days' deduction from his sentence each month.

5. If he is unable to earn any thing by reason of sickness or infirmity during his confinement, and his conduct has been good, the board may allow him a sum sufficient to defray his expenses to the county where he was convicted.

6. Each convict who performs labor, but not on a contract, and whose conduct and fidelity entitle him to it, shall be allowed a sum in lieu of earnings which shall not exceed one-tenth of the average contract price in the prison.

Passed in 1856.

Oregon.

This State, as I have learned from the Rev. Dr. Atkinson, who has been for several years one of the inspectors of the prison, has a commutation law, which allows five days for each month of good conduct; but I am unable to give the text of the statute, or the date of its passage.

Tennessee.

Sec. 4. *Be it enacted*, That for the encouragement of the prisoners to conduct themselves with industry and propriety, it shall be the duty of the Governor, whenever it appears from the weekly reports of the agent and keeper that the conduct of a prisoner has been exemplary and unexceptionable for a whole month together, to commute such prisoner's term of imprisonment for any period of time not exceeding two days for each and every month that he may have so conducted himself.

Passed in 1836.

Vermont.

All persons who have been or shall be hereafter convicted of any offence against the laws of the State, and confined in the State prison, in execution of the judgment or sentence upon such conviction, who shall so conduct themselves for any month of such sentence that no charge of misconduct shall be sustained against them for such month, shall have a deduction of five days for every such month made from the term of their sentence, such deduction to be reduced five days, whenever in any month such charge for misconduct shall be sustained against them, and shall be entitled to their discharge so much the sooner upon the certificate of the superintendent of the prison, with the approval of the Governor.

Passed in 1868.

Wisconsin.

Sec. 1. It shall be the duty of the State prison commissioner to require his deputy to keep a true record of the conduct of each convict, specifying each infraction of the rules of discipline. At the end of each month the said deputy shall give a certificate of good conduct to each convict who shall require it, against whom is recorded no infraction of the rules of discipline; and, upon such certificate, the commissioner may, at his discretion, diminish the term of any convict sentenced for a specific time, not more than five days each month. All such certificates shall remain on



file in the prison office, subject at any time to be annulled by the Governor for subsequent misconduct of the convict.

SEC. 2. Any convict sentenced to periodical terms of solitary confinement, who shall obtain from the deputy commissioner a certificate that such convict has suffered at least one term of solitary confinement, and that ever after such term, the conduct of such convict has been good for peaceful obedience, industry and integrity, on the receipt of such certificate the Governor shall have power, at his discretion, to suspend the further solitary confinement of such convict during good behavior.

SEC. 3. Any convict who, at the expiration of the term of his sentence, shall obtain a certificate from the deputy commissioner, that during the term of his confinement, such convict had maintained a good character for obedience, industry and integrity, such certificate, countersigned by the commissioner, shall restore such convict to citizenship.

SEC. 4. This act shall be in force from and after its passage.

Approved March 31, 1860.

UNKNOWN.

[The following is the text of a commutation act of some one of the States, the name of which is unknown to me. It is recited here to complete the number, and also because it has some features quite distinct from those of any other.]

SEC. 1. The warden of the State prison shall keep a record of the conduct of each convict, and for each month that a convict (except convicts under sentence to imprisonment for life) appears by such record to have observed all the rules and requirements of the prison, and not to have been subjected to punishment, shall, with the consent of the Governor, upon the recommendation to him of a majority of the board of inspectors, be deducted from the term or terms of the sentence of such convict, the same number of days that there are years in the said term of his sentence; *Provided*, that when the sentence is for a larger term than five years, only five days shall be deducted for one month's good behavior; and, *provided further*, that for every day a convict shall be shut up, or otherwise punished for bad conduct, there shall be deducted one day from the time he shall have gained for good conduct.

UNITED STATES.

'AN ACT in relation to persons imprisoned under sentence for offences against the laws of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That all prisoners who have been, or shall hereafter be convicted of any offence against the laws of the United States, and confined in any State prison or penitentiary, in execution of the judgment or sentence upon such conviction, who so conduct themselves that no charge for misconduct shall be sustained against them, shall have a deduction of one month in each year made from the term of their sentence, and shall be entitled to their discharge so much the sooner, upon the certificate of the warden or keeper of such prison or penitentiary, with the approval of the Secretary of the Interior.

Approved March 2, 1867.

The amount of time in years, months and days, which, agreeably to the foregoing laws, convicts may earn by good conduct and industry, is exhibited in the following table:

TABLE.

	1 year.		2 years.		3 years.		4 years.		5 years.		6 years.		7 years.		8 years.		9 years.		10 years.		11 years.		12 years.		13 years.		14 years.		15 years.		16 years.		17 years.		18 years.		19 years.		20 years.	
	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.	M.	F.
California,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Connecticut,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Illinois,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Iowa,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Kansas,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Maine,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Massachusetts,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Michigan,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Minnesota,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Missouri,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
N. Hampshire,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Nevada,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
New Jersey,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
New York,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Ohio,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Oregon,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Tennessee,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Vermont,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Wisconsin,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
Unknown,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
United States,	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1

To New York belongs the honor of having passed the first commutation law ever enacted in the United States, or, as I think, in any other country. In the fourth section of a prison law adopted in 1817, the Legislature directed that the head of the prison should open an account with each prisoner, charging him with the cost of clothing, provisions and hospital expenses, and crediting him with his earnings. If said prisoner behaved well, twenty per cent. of his net earnings were to be set aside for him quarterly, and invested in some public stock of the United States, bearing interest, and the amount so earned was to be paid to him on his discharge.

The fifth section then proceeds to enact that to prisoners sentenced for "a certain term, not less than five years, it shall be lawful for the inspectors, upon the certificate of the principal keeper, or other satisfactory evidence, that such prisoner has behaved well, and has acquired by the means aforesaid in the whole the net sum of fifteen dollars or more per annum, to abridge the period of confinement and labor declared in such sentence one-fourth part, and to discharge such prisoner accordingly, and to pay to such prisoner the amount then standing to his or her credit in the prison books, as upon a completion of the sentence; but such sums shall be forfeited by any disorderly or disobedient conduct, and by any attempt to escape, and shall in no case be allowed on a second or any subsequent conviction."

We have here, in a law enacted more than half a century ago, the fundamental idea of the improved prison discipline of more recent years — that of rewards as an incentive to good conduct and reformation. We have also two of the leading principles embraced in this central doctrine — money gratuities and diminution of sentence. Unfortunately, this wise measure, so far in advance of the ideas prevailing on the subject to which it relates, was never, as far as I can ascertain, carried into effect. Sharing the fate of many other theoretical reforms, it remained a dead letter on the statute-book — a monument at once of the wisdom of the Legislature that enacted it, and the folly of the State that neglected to enforce it.

The commutation law next in the order of time in the United States was enacted by the Legislature of Tennessee, in the year 1836, and will be found cited at length in a previous part of the present paper. There is no evidence or probability that the framers of this act had any knowledge of the previous legislation of New York in reference to the same matter. The principle of an abbreviation of sentence for good conduct is embodied in this statute, though its application is more limited than in most of the later legislation of the same kind, and than would be dictated, as I think, by the highest wisdom. The Tennessee law, unlike that enacted so much earlier in

New York, has been executed from the date of its passage. Its good effect has been so conspicuous that, as I learn from correspondence with gentlemen connected with the State penitentiary, scarcely a dozen convicts have failed to entitle themselves to its full benefit through the thirty odd years of its existence. The method of its execution is as follows: Whenever a convict has served out his full term of sentence, minus the commutation earned by good behavior, official notice of the fact is sent by the warden to the Governor, who thereupon issues a formal pardon, the effect of which is to re-instate the prisoner so discharged in the rights and privileges of citizenship, forfeited by his conviction as a felon.

The third step in the progress of this system was taken by Ohio, in 1856, under the leadership of the Hon. Cyrus Mendenhall, then a member of the Legislature of that State. Mr. Mendenhall was wholly ignorant of what had been previously done in the same direction by the States of New York and Tennessee. This fact is put beyond question by the following extract from a letter to the writer, under date of Dec. 13, 1867: "I would be glad to know at what date States, other than Ohio, adopted the 'commutation system.' Ohio passed that law April 8, 1856, and we had never heard of any thing of the kind having been enacted elsewhere at that time. I well remember when the idea first occurred to me, when carefully and prayerfully at work as chairman of the House committee on the penitentiary, getting up a bill radically changing the government of that institution, that I felt almost like shouting for joy at having found a key which would open practically in the right direction, and which I now rejoice to know, so far as this State and others have gone, has been eminently successful." To Mr. Mendenhall, then, undoubtedly belongs the honor of having originated the "commutation system," as now practised in so many of the States of our Union. These States drew their several acts, not from the earlier fountains of New York and Tennessee legislation, but from the Ohio law.

We may well pause here, in passing, to notice the remarkable fact, that substantially the same reform in prison discipline, a reform, too, so fundamental in its character, should have originated independently in three different States, with no knowledge, on the part of those who inaugurated each, of the existence of any similar legislation elsewhere.

Nor is it less remarkable that there should have been two separate discoveries, if they may be called by that name, of the same principle in two distinct countries of Europe, without any apparent indebtedness of either discoverer to the other. Yet such is the fact. Mr. Bonneville de Marsangy, one of the most eminent publicists of

France, in a discourse pronounced before the bar at the opening of the Civil Tribunal at Rheims, in 1846, held the following language:

"We need not be surprised at the idea of granting rewards, which may consist either in a larger gratuity, in better food, or even in *abbreviations of punishment.* If any thing can awaken in the breasts of convicts the ideas of good and evil, lead them back to moral reflections, and raise them, however little, in their own eyes, *it is the possibility of gaining some reward.* Now, assuredly, of all rewards, the most precious, the most exciting, is liberty. Therefore, after the *exceptional* benefit of a royal pardon, provisional liberty would be a wonderful attraction shining before the eyes of all *penitent* convicts. It would be like a gleam of light, which would dissipate the darkness of impenitence, and would guide them toward the regenerative ideas of submission, of repentance and of labor."

Seven years later, in 1853, Sir Walter Crofton inaugurated what has since been known as the Irish Convict System, founding it upon the same great idea of keeping hope ever alive and active in the breast of the convict by a well-adjusted system of rewards, of which the greatest was liberation, on proof of penitence and reform, prior to the expiration of his allotted sentence. As far as appears from any publication ever made to the world, this was a self-originated conception of his own mind.

We have, then, no less than five distinct and independent origins of this most fruitful and beneficent of all ideas in prison discipline, occurring in widely-separated regions of the globe, and in minds having no intercommunication with one another, within the first half of the present century — the idea, namely, of shortening the term of a convict's sentence as an aid to his regeneration and his re-absorption into society as an honest, industrious and useful member of the body politic.

What does this extraordinary state of facts show? Is it not a demonstration that the race is ever struggling toward a higher plane of civilization, and that great social reforms, as well as scientific discoveries, spring rather from the bosom of the age in which they occur than from the individual geniuses which evolve them? We speak, it is true — but rather popularly than philosophically — of men who advance their age and impress their individual character on their generation. But these are, for the most part, men who have better comprehended, and who have reduced to forms more exact, and expressed with greater clearness and force, the dominant ideas of their times. They have but brought forth and made manifest what their age carried in its bosom. They have concentrated, so to speak, in the burning-glass of their genius, some rays of truth which, pre-

viously dispersed through the world, had not as yet been able to kindle it into a blaze.

From the recitation of existing commutation acts given in the first part of this paper, it appears that they were passed, chronologically, as follows: Tennessee enacted her present law in 1836; Ohio, in 1856; Iowa and Massachusetts, in 1857; Wisconsin, in 1860; Michigan, in 1861; Connecticut and New York, in 1862; Illinois, in 1863; Missouri, in 1865; California and Maine, in 1866; Kansas, Minnesota, New Hampshire and the United States, in 1867; New Jersey and Vermont, in 1868; and of the acts of two States the date is unknown to the writer.

The object of the legislation embodied in the commutation laws of the several States and the United States is, to inspire the convicts with hope, and thereby to stimulate them to industry, good conduct and the cultivation of virtuous principles and habits; in one word, to effect their moral reformation. The principle of these laws I regard as founded in reason and justice, and the policy established by them as eminently wise and beneficent. The effect of this policy is to change, in some important respects, the aspect and condition of prison life. In keeping before prisoners a permanent and ever-present incentive to good conduct, it fortifies the resolutions of many a feeble mind, and counteracts in others the tendency to feelings of despondency, recklessness and revenge, which their situation is apt to engender, and in which many of them are prone to indulge. In encouraging them to perform their work cheerfully it has, so far, the good effect of changing coerced into voluntary labor; while, as a means of discipline, appealing to the better feelings of all in whom such feelings still have a place, and substituting rewards instead of punishments, moral instead of brute force, and hope in the place of fear, its operation cannot be otherwise than healthful and bracing to their moral nature.

But this *a priori* reasoning is abundantly confirmed by the fruits which the law has borne. Tested by its actual operation and effect, it is found to be a most salutary law. Mr. Haynes testifies: "The effect of the law in the Massachusetts State prison has been good. I think it the most important step in prison discipline that has been taken in this country in the last forty years." The warden of the Wisconsin State prison says: "I consider the commutation law a more powerful agency to promote good conduct among convicts than any thing else that could have been devised for that end." The warden of the Ohio State prison says of it: "No law ever passed by the Legislature has been so marked in its influence for good since Ohio has been a State as that which enables prisoners to earn the

remission of part of their sentence by good conduct. It works admirably, and has done much toward keeping up the discipline of the institution." The authorities of the Connecticut State prison attest the excellence of this law in the following terms: "The law authorizing a deduction from the sentences of convicts for good behavior has been attended with beneficial results. It has been received with gratitude by almost every inmate of the prison. The discipline of the prison was never better, and it has been maintained with less punishment than formerly; a result owing, in a great measure, to the commutation law. More than eighty per cent of the prisoners in 1865 had a perfect record of good conduct throughout the year." The late warden of the Michigan State prison, Mr. Seaton, bears this testimony to the good effects of the law: "Very desirable results have followed from making a prisoner's confinement, to a certain degree, depend for its duration upon himself. The intense anxiety which all convicts manifest in relation to their 'good time,' and the earnestness which they exhibit to save every possible day of it, show that they place some estimate upon their life in society again, and have not lost all appreciation of public opinion. More work is done, it is performed more cheerfully, and better discipline is maintained now than formerly, as the result of our 'good time' law. Of prisoners discharged last year (1864), more than ninety per cent conducted themselves with such propriety as to secure the whole of their good time." The warden of the Iowa State prison says: "The system of 'diminution' has an admirable effect in favor of good discipline among the convicts. This system is based upon the idea of reward of merit. By its operation a convict may considerably shorten his term of imprisonment — provided, of course, he has not been sent here for life. By its operation, constant good conduct during the first year will shorten the term forty-two days; during succeeding years, forty-eight days each. Thus, a convict sentenced for five years would, by the operation of this humane act, be able to have that period shortened by two hundred and thirty-four (234) days, by constant obedience to the rules. So with other cases. Every one whose obedience to the rules is complete diminishes the term of his service. It is found to be a sufficient inducement with a majority of the convicts to obey the rules at all times. Its practical operation in this prison would seem to prove that benevolence is a more powerful incentive to good conduct, amongst those regarded as depraved, than harsh measures."

In the prisons of all the States where commutation acts have been passed, the law is fully explained to the prisoners on entering, and they are made to understand it. In Massachusetts, each convict

is annually furnished with an almanac, in which he carefully notes down, month by month, the number of days earned by good conduct and the number forfeited by bad. This record he guards with the utmost care; the days to be remitted from his sentence are a treasure which he hoards and counts as a miser does his gold. As the heap, so to speak, increases, he becomes more anxious to add to its bulk; and of course he is proportionally careful to observe the strictest propriety in his conduct, and to avoid all infraction of prison rules. How much these days of anticipated freedom are prized by convicts will appear from the following statement: A prisoner, in a certain prison, had earned by good conduct a considerable reduction of sentence, and by overwork a considerable sum of money. The money had been paid to him, and he was upon the point of receiving his discharge so many days prior to the expiration of his sentence. Holding up the greenbacks to the view of the principal keeper, he said: "Mr. W., I would sooner part with the whole of these than give up one day of the number I have gained by observance of the prison rules."

Under the United States commutation law, and likewise under those of Connecticut, Maine, New Hampshire and Tennessee, there can be, agreeably to the terms of the said laws, no forfeiture of time once gained. In Iowa, Kansas, Massachusetts, Michigan, Minnesota and New York, a part or all of the time gained may be forfeited by a willful violation of prison rules, regard being had to the nature and aggravation of the offence. In Illinois, a violation of prison rules works a forfeiture of "all the rights gained under this act;" while in Wisconsin only one day is to be deducted from the time gained by good conduct for every day a convict shall be shut up or otherwise punished for bad conduct. In Missouri the law is peculiar. It simply makes provision that convicts who shall have conducted themselves to the satisfaction of the authorities during the whole time of their imprisonment, shall be entitled to a deduction of one-fourth part of their term of sentence, and that those who are sentenced for life shall, on the same terms, be entitled to a discharge after an incarceration of eighteen years.

An inspection of the table, giving the periods of time that may be earned in the several States under their respective commutation acts, from one to twenty years inclusive, shows that, for the last named of these periods, Tennessee allows the smallest and California and New York the greatest sum total; and that between the two extremes, scarcely any two States agree in the amount of time that may be gained. The principle of the New York law, and of those of some of the other States, is that of a graduation of the time granted so as

to give greater encouragement to convicts sentenced for long terms. This principle is just and wise, since those who behave well for many years, give stronger evidence of reformation than can be shown by those confined for shorter periods. And the ratio of increase I regard as none too great.

The commutation law of the United States was enacted at the instance of the Prison Association, but in a form materially different from that in which it was proposed. The bill which the Association submitted to Congress was in these words:

SEC. 1. That all persons convicted of offences against the laws of the United States, and imprisoned in the prisons or penitentiaries of the several States, in execution of the judgment and sentence upon such conviction, shall be entitled to, and shall have the benefit of any and all laws of the State in which they are or shall be imprisoned, granting and assuring to persons convicted and imprisoned for offences against the laws of the State, as a reward for and incentive to good conduct and obedience to the rules and conformity to the discipline of the prison, any mitigation of their sentence, or reducing the term of their imprisonment, or any other privileges or immunities whatever.

This is the form in which, as it seems to me, a United States commutation law should have been enacted, and for the following reasons: The design of such a law is, as before stated, to encourage prisoners and aid their reformation by abridging their terms of imprisonment as a reward of industry and general good conduct. The United States has no prisons of its own, but confines its convicts in the prisons of the several States, on such terms as may be arranged with the authorities of each prison. As a consequence, the convicts of the State governments and of the general government intermingle promiscuously, work side by side, and are subjected to the same disciplinary treatment. Down to a period as late as 1867, however, there existed this material difference: United States prisoners derived no advantage from State commutation laws, while they daily saw their comrades, convicted by State courts, discharged months and sometimes years before the expiration of their own sentences. This was found in New York, and no doubt in other States, to be a perpetual source of irritation to these men, which betrayed them, not unfrequently, into acts which made it necessary to punish them. It was, therefore, deemed important by the Prison Association, that United States prisoners should have the benefit of commutation as well as prisoners sentenced under State laws. But whatever reason there is for granting commutation at all to United States convicts confined in prisons belonging to a State, there is just the same reason for making it identical with that granted by the State to her own convicts. The effect of withholding commutation from one class of

inmates and granting it to another class in the same prison, is to create irritation, jealousy, and heart-burnings in the class which feels itself aggrieved; and this is sure to lead to acts of insubordination and disobedience, and of course to the punishment of those who are guilty of them. Precisely the same results, though in a somewhat less aggravated form, would naturally flow from *discriminations* in the commutation granted to different prisoners; and the experience of our New York prisons shows that this is actually the case. It may be said, why heed the resentments of convicts? As well might we ask, why make use of any means to bring the will of the convict into accord with that of his jailers? This consent of wills is an essential condition of reformation; and if reformation is desirable, then it is equally so that all uncessary causes of irritation of prisoners and alienation between them and their keepers be avoided.

This reasoning, if it have any force, is decisive against the United States law in its present form. That law simply grants one month's diminution of sentence for each year, during which the convict shall, by his good conduct, merit such mitigation of his punishment. There is no accommodation to the law and usage of the State in which he may happen to be imprisoned; but all are required to lie on the same Procrustean bed.

For these reasons I think Congress would do well so to modify its legislation on this subject, as to make it conform to the legislation of the several States, whose prisons it employs for the incarceration of its convicts.

VI. REVIEW OF REFORMATORY WORK IN THE UNITED STATES FOR THE YEAR 1867.

By the Corresponding Secretary.

Reformatory work in the United States continues to be well done, and to yield the most gratifying results. Our houses of refuge and reform schools are the best managed and most effective institutions we have for the repression of crime. The great difficulty is, that they are too few in number. Taking the whole country together, they form scarcely a tithe of what is needed in this department of repressive effort. Childhood and youth constitute the true field of promise, in which to labor for the diminution of criminality. Preventive and reformatory schools, if organized in sufficient numbers and conducted in the right spirit, would go far toward staying the amount of crime, turning it back upon itself, and drying it up at the fountain head.

It is proposed, in the present paper, to offer a *résumé* of the condition and working of our juvenile reformatories for the year 1867, similar to that, given in a former paper, of the State prisons for the same year.

All the information susceptible of tabulation will be found exhibited in that form, which will account for many omissions in the subjoined statements respecting the several institutions individually.

California.

The State Reform School in California was founded in 1864 for boys only; at least, although there is nothing in the act establishing the school to restrict it to either sex, boys alone are received. The reports are published biennially; of course the one under review is the second—for 1866 and 1867.

The school is still in its infancy, but appears to be doing a good work, under the judicious management of its board of trustees and its superintendent, Mr. H. S. Hoblitzell. The boys who have been placed with farmers, it is said, are, without exception, giving satisfaction to their employers. Letters have been received from those who have been discharged, expressing their determination to do well. Two are in San Francisco, earning over twenty dollars per month, and leading exemplary lives. The superintendent says: "One in Sacramento, said to have been one of the worst boys in his neighbor-

hood when sent to us, after being with us two years, is now with his parents, giving them great satisfaction and comfort, and working steadily every day, instead of lounging about the engine houses and beer saloons, as formerly. I could give quite an entertaining history of this boy, did my space permit of it; suffice it to say, when he left us, he read a parting letter to his comrades which affected them all more deeply and sensibly than any words of mine could possibly do. Every one was in tears. The letter was published at the time in our local press, and extensively copied. His mother, a God-fearing and prayerful woman, has since written us of the great change, and says she will never cease praying for and thanking us, under God, for the good we have done her darling boy."

The sanitary condition of the institution is reported as excellent, there having been no occasion so much as to call in a physician during the two years covered by the report.

The trustees urge the necessity for a classification of the boys, in these words: "Experience has shown us that the separation of the most incorrigible of the inmates from those who are better disposed is an imperative necessity. Under the present arrangement, the presence of a few notoriously bad characters tends to corrupt those who might be easily reformed, and those who in many instances are held for no actual crime, become vicious by the association. An appropriation should be made sufficient to enable the trustees to classify the inmates, and by separation, as suggested, remedy an evil which is so apparent."

Connecticut.

The directors claim, that the State Reform School of Connecticut "ranks first in the list of the numerous institutions similar in kind and object in the several States." Without affirming or denying this judgment, there is no doubt that the institution is one in which the directors and the State may feel a just pride. The administration, under its able superintendent, Dr. Hatch, is wise, energetic, and successful.

This school has an excellent farm of 160 acres, which affords healthy and profitable employment for a considerable number of the boys. The other productive labor, beyond what is done for the institution itself, is cane-seating chairs. The revenue from the labor of the boys has been steadily increasing for the last ten years, and in 1867 reached the handsome sum of $12,000, being an average of $45 to each inmate — the largest sum ever reached in a single year. The labor is done on account of the institution; none on contract.

The schools are conducted with energy and success. Besides the common school branches, a few study algebra, history and philoso-

phy. The progress made is quite as good as in ordinary common schools. The library contains 1,500 volumes, and is much used by the boys, who are generally fond of reading.

There is no resident chaplain. The several ministers of the place perform pastoral labor in the institution, taking turns in preaching to the inmates. This method is preferred to that of having a resi dent chaplain. A Sabbath school is maintained, taught by faithful volunteer laborers from outside. No question books are used, but the Word of God is taken as the sole foundation of all religious and moral instruction. The superintendent himself is faithful and assiduous in his efforts to cultivate the hearts of the children, and to inculcate the principles of religion and morality, by giving "precept upon precept, here a little and there a little."

The health of the inmates is excellent. No death has occurred in the last two years, and for the year under review, $9.72 covered the whole expense for medicines — there being none for medical attendance, as the superintendent acts as physician.

Boys are committed to this institution between the ages of ten and sixteen. Their sentence is for a definite period, though it cannot be less than nine months nor beyond minority; but parents and guardians may indenture their sons or male wards, for such length of time as may be agreed upon, to the Reform School, paying all expenses of the same.

The methods of discharge are three — expiration of sentence, sending home to friends, and letting out on parole of honor.

The sleeping rooms are designed for one boy only, but two are often put together on account of the crowded state of the house.

The discipline is that of a family. As regards punishment, when all other means fail, Solomon's counsel is followed; but no strange, cruel or degrading inflictions are used. The congregate system is the one adopted here.

Efforts have been made with the Legislature to secure the establishment of a Girls' Reformatory; whether successfully, I am not informed.

Illinois.

The congregate has been replaced by the family system in the Chicago Reform School. The results have met the expectation of the authorities, and have fortified their conviction of the superior value of the latter over the former method.

A girls' department was organized two years ago. The whole number received into it in two years was thirteen, all of whom had gone out from the institution at the date of the report under review. It is recommended that this department be abolished.

The labor of the boys is managed by the institution, without the intervention of contractors. The labor department was, during a part of the year, under no little embarrassment both from lack of work and from want of adequate capital. Still, this department was more successful in 1867 than it had been any previous year. The total earnings of the boys amounted to $13,332—an average to each of $57—and covered nearly one-half of the expenses of the establishment. The principal branches of productive labor are: shoemaking, chair-seating, basket and box-making, and the culture of plants and flowers. It is believed that, under proper care, the floral and nursery department can be made one of the best in the institution as regards revenue, health, enjoyment and moral influence.

The branches taught are reading, spelling, defining, writing, arithmetic, geography and the history of the United States. Aside from the regular studies, the teachers give as much general information to the scholars as lies in their power. Problems, outside of the text-books, are frequently assigned to them for solution, and the interval between the morning and evening sessions is given them for this purpose. Saturday and Sunday evenings are devoted to singing and the reading of interesting books. These exercises quicken thought, impart information, and awaken in many minds a desire for knowledge.

A minute and exceedingly interesting account is given by the Board of Guardians of the organization and discipline of this institution. Want of space forbids its transcription entire, and injustice would be done by an abstract. We make room for a single extract:

"We have spoken of our band room. We must speak of our band. Thirty or forty boys compose this band. They are taught the elements of music, a variety of choruses and songs, and also to play such music as boys could be expected to play, upon a set of brass instruments. It is but just to them to say they do *well*. They are fitted out with red coats, and gray pants trimmed with red, and present a very fine appearance. They are often taken out to festivals and concerts, and seem greatly delighted with the attention they receive.

"It would not be just to ourselves, were we to pass over the social influences that are constantly exerted upon our boys. A sympathy between the officers and boys is carefully cultivated. They are encouraged to come with all their trials and grievances, real or fancied, to them, as to their friends. Our aim in procuring teachers is to secure such as will enter most heartily into their confidence, and by both direct and indirect conversations lead them to higher and nobler aspirations and true goodness. It is made the duty of one

of the teachers, in an incidental way, to do this constantly, acting among the boys somewhat as a lady city missionary in her field of labor."

INDIANA.

The act to establish a House of Refuge for the correction and reformation of juvenile offenders in the State of Indiana, was approved March 8, 1867. Messrs. C. F. Coffin, A. C. Downey and Jos. Orr, were appointed a Board of Control to select a site, erect buildings, appoint officers, frame a plan, and organize and manage the new institution. The board met and organized on the 23d of April, and immediately entered upon their duties. They presented their first report to the Governor, January 1, 1868. The following extracts from the report will show the plans adopted, and what had been accomplished up to the date above named:

"After full consideration and personal examination of the merits of various institutions for the reformation of juvenile offenders, the board unanimously adopted what is known as the 'family system,' and after the Governor 'selected and established the site for said institution,' the board, with his approval, adopted a plan for the grounds and buildings, with a view to the ultimate execution of one main and ten family buildings, besides the necessary shops and other buildings, intended to accommodate about five hundred boys.

"Having reference to the means at their disposal, the board, after due advertisement, proceeded in July last, to let a contract for three family houses, 38 × 56 feet, two stories high with basement — the basement being 8 feet, and the stories respectively 10 and 11 feet in height. And also, one shop 40 × 80 feet, two stories high, with basement, so divided that one-half of it can be used, until the erection of the main building, for a kitchen, dining room, and chapel, and a milk-house 20 × 30 feet, with basement; and a bake-house 20 × 30 feet. The whole to be completed by the first of January, 1868, for $28,776.

"The contractors have thus far satisfactorily fulfilled their engagement, and the work is about completed.

"A fence around the grounds intended for the buildings, inclosing about twenty-one acres, is in process of erection, and other necessary work is in progress.

"It has been the design of the board to leave all such work as can be conveniently done by the boys, until they are received.

"The board have, with the approval of the Governor, appointed Francis B. Ainsworth (late an Elder Brother in the Ohio Reform School at Lancaster), as superintendent, at a salary of $900 per year, who has filed the requisite bond and entered upon the discharge of his duties.

"The board, with the concurrence of the Governor, estimate the annual expense of keeping and taking care of an infant, committed to the institution, at $130."

KENTUCKY.

The Louisville House of Refuge is a city and not a State institution. It was opened in 1865, is for boys only, and is conducted on the congregate plan. The average number in 1867 was 148, and their aggregate earnings $2,830 — $20 *per capita*. Shoemaking is the only productive branch of labor pursued; but the boys do the tailoring and knitting of the institution, and cultivate the farm and garden under the superintendence of a gardener — twenty-five being employed in this last-named occupation. The tone and spirit of the institution, together with some of the results achieved, will be seen in the subjoined extracts from the report of the superintendent, Mr. P. Caldwell. It will be further seen that he recommends the organization of three departments in the Refuge: one for the criminal inmates; one for those who are intrusted to the care of the institution, because they are either orphans or homeless and friendless, but have been guilty of no violation of law; and a third, in which the inmates, whose previous good conduct should warrant it, might be placed on probation before their final discharge. Says Mr. Caldwell:

"To manage and carry on a House of Refuge as a business house is a matter, in one sense, that is comparatively easy; but so to conduct and regulate its affairs that the inmates, after having been the subjects of its management, shall go forth as free agents, without the watchful eye and the careful help they have been receiving, to do their part in society under any and all circumstances, is the test — is the difficulty. Yet this is the proper gauge with which we must test the success of our work. It would be of but little advantage to society if we could show to her only a good financial business house, a well-managed Refuge, boys faithful and obedient, earnest and diligent at work, neat and tidy in their appearance, skilled and proficient in their studies, unless on trial, when from under our care, her money had been expended for making honest, hard-working, industrious, good and reliable boys. The reformability of a boy has been clearly shown by past experience; and whilst we believe our present system of discipline to be the best adopted by any reformatory school in the country, still there might be a change in our present management that might make our labors more successful. Be not deceived, 'evil communications corrupt good manners,' is a truth of the Bible that is in direct conflict with our present management. Frequently we have intrusted to our care

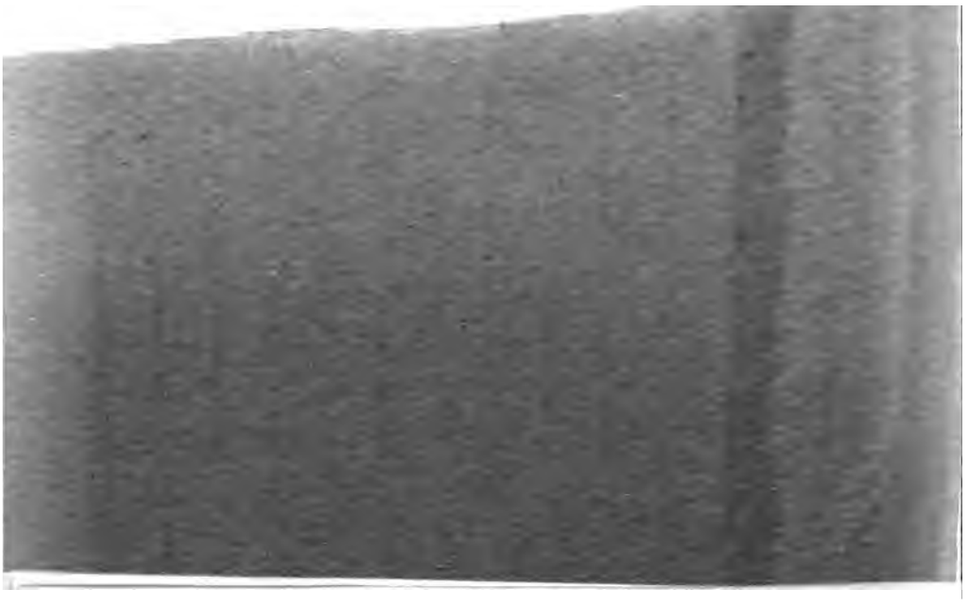
the orphan, the homeless and friendless, who are guilty of no violation of law, whose morals are as pure and untarnished from sin as our natures will admit. Now, why surround them with the influence of those who have added crime to crime, and wickedness to wickedness? Can it be possible that they can have evil communication, and not be corrupted? I wish not to complain. As a board, you have nobly done your duty; you have faithfully and tenderly watched the infant institution entrusted to your care; you have not tied my hands or shackled my feet, but gave me liberty and said, 'Go forward.' Still, there is much yet to be done, and when the suitable time may come, and the ways and means are provided, I would recommend a building wherein the less vicious might be kept apart from the hardened criminal. Now, no distinction can be made between those who would voluntarily cast their lot among us, and those who are with us under the hand of the law.

"A third department, also, wherein a boy might be placed on probation before his leaving us, is also necessary to complete a practical, working reformatory system. The reformed character of a boy ought to be thoroughly tested with us, by throwing temptation peculiar to life before him, before we should return him to society. A character formed exclusive of and in the absence of all temptation, is just no character at all fitted for the world. It is like a house-plant, that does very well while it is watched and cared for, but when put out in the soil to make its own way, cannot endure the scorching sun or beating winds of outdoor life. In this additional department we would be able to throw around him more reformatory influences, and it would afford us a better opportunity of judging of his habits of industry, honesty, neatness and cleanliness, by having him thrown more upon his own resources and will."

Louisiana.

No report of the House of Refuge at New Orleans, for 1867, was printed. Governor Warmouth, at my request, with great courtesy, caused to be made and forwarded to me copies of the two semi-annual reports of the superintendent, Mr. Wm. Bosworth, to the board of commissioners. The reports consist almost wholly of statistics, which will be found embodied in the general statistical table inserted in a subsequent part of this paper. All the information given of a general nature is embraced in the following extract from the report made by the teacher, Mr. Davis, to the superintendent:

"The progress made by the boys, taking all things into considera tion, has been very satisfactory.



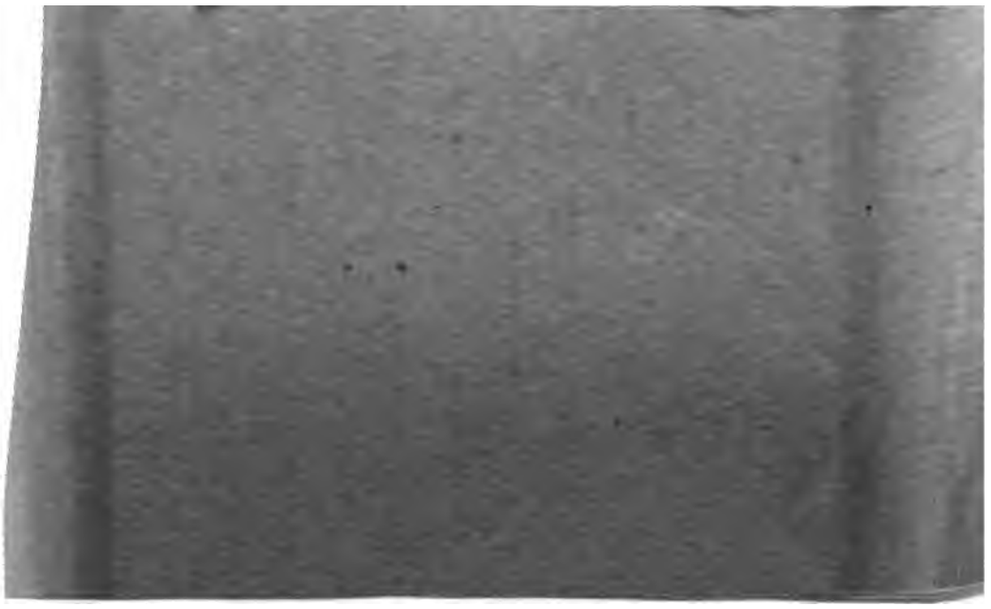
"The limited or entirely neglected education of those generally received into this institution, points to the school connected with it as one of the most efficient means of effecting the reformation of those committed to its charge. You will notice from the course of studies pursued, that we aim at instruction in those solid branches of an education which, from the indifference of parents or evil disposition in the boys themselves, has been so sadly neglected. We strive to make the boys good readers, writers and arithmeticians, and find that this is the deficiency in almost every case under our care."

Maine.

A general change of officers took place in 1867 in the State Reform School of Maine — from what cause is not stated. The present superintendent, Mr. E. W. Woodbury, entered upon the discharge of his duties the 1st of May. This report is dated December 7th, seven months subsequently.

The finances appear to be well managed. All purchases are made on the cash principle, and there are no outstanding bills. The boys earned by their labor, principally at brick and tile making, more than one-third of the cost of their support.

From the experience of the trustees, they thus express their opposition to the system of indenturing boys: "The plan of indenturing boys committed to the Reform School has heretofore been held in much favor, but our experience since we have been connected with the school, has had the effect to lead us to distrust it, especially so far as its practical working is concerned. When our boys are bound out, it is during their minority, and in the indenture it is stipulated that they shall be well clad and well fed, that they shall have not less than three months' schooling each year, and that when they reach their majority they shall be fitted out with a new suit of clothes and be paid one hundred dollars. All this would *seem* to be very well, if faithfully carried out, but as a matter of fact it is very seldom that a boy remains with his master long enough to get the suit of clothes and the one hundred dollars. It is often the case that he is turned back upon the school when the *summer work is done, threadbare and dilapidated*, without having heard of the three months' schooling. In short, the plan seems to be, but too often, to take one of our most valuable boys in the spring, to keep him and work him all summer, and then, when the fall and cold weather come, to contrive some way to shake him off and have him return to the school, or run away. So much have we been troubled in this way, that we have come at last to look on applicants for apprentices with very great distrust, and shall endeavor in the



'uture to guard ourselves, and the boys as well, from imposition of this kind."

The progress made by the boys in learning is as good as is customary with the pupils of common schools throughout the State. The superintendent pronounces the Sabbath school an indispensable requisite to the institution, and places it above all other instrumentalities as an agent of reformation. Nor can we feel surprise at this statement, when taken in connection with those that follow: "The institution owes much to those self-sacrificing christian ladies and gentlemen of Portland,* who conduct the exercises of the Sabbath school. Leaving their own churches, regardless of ease and comfort around their own firesides, through the heat of summer and the cold of winter, they are ever in their classes, and by their cheerful countenances and kind instructions, are sowing seed which will spring up and bear fruit to eternal life. Theirs will be the reward, 'inasmuch as ye have done it unto one of the least of these, ye have done it unto me.' Mr. Wm. E. Gould, the superintendent, together with the corps of teachers (numbering twenty-one) are indefatigable in their efforts to do good to the boys. In addition to their Sabbath labors, during the summer they came to the school one evening each week, and sang, and talked and prayed with the boys, who were much interested in the exercises. Every two weeks they distribute, alternately, the Child at Home and the Child's Paper, journals printed by the Tract Societies for the young, beside bringing out some of the best talent in the country from time to time to address them. They also hold a Christmas festival, when every boy is kindly remembered by some token of affection. Our coach takes from and returns to their homes some sixteen of the teachers; the others come at their own charges."

In exposition of the principles on which a juvenile reformatory should be conducted, the usages in that confided to him, and the results attained, Mr. Woodbury remarks: "It is far better to say *come*, than *go;* and unspeakably easier to govern, when a consistent example corresponds with the precept. It is an imperative necessity in a reformatory institution, that the superintendent and all the employés should show the boys by their own example that labor is respectable, and not fear to soil their own hands. Treating the boys as menials will never reform them. The duty and responsibility of teaching the boys not only *to* labor, but *how* to labor, rests upon those in charge. Habits of neatness, order, industry and

* The zeal and self-denial of these christian workers will be the more appreciated, when it is known that the Reform School is at Cape Elizabeth, distant five miles from Portland.

economy can be taught in no other way. If these principles do no prevail, you make of the institution a penitentiary. In discipline, w endeavor by kindness and patience to lead the boys to a just appre ciation of good order, and wholesome restraint. In most cases success has rewarded our efforts. The obstinate and the incorrigibl are made to feel that 'the ruler beareth not the sword in vain.' Besides the daily recreation, we give the boys the holidays, making ourselves their servants, and spreading their tables with not only the necessaries, but the luxuries of life, making every thing appear like a well regulated household. We also allow them the privilege of bathing in the salt water in summer, and coasting and skating in winter. We endeavor to so divide their time that the school-room, the work-shop, and the play-hall shall each have its full share, having due regard to the physical and moral development of the man."

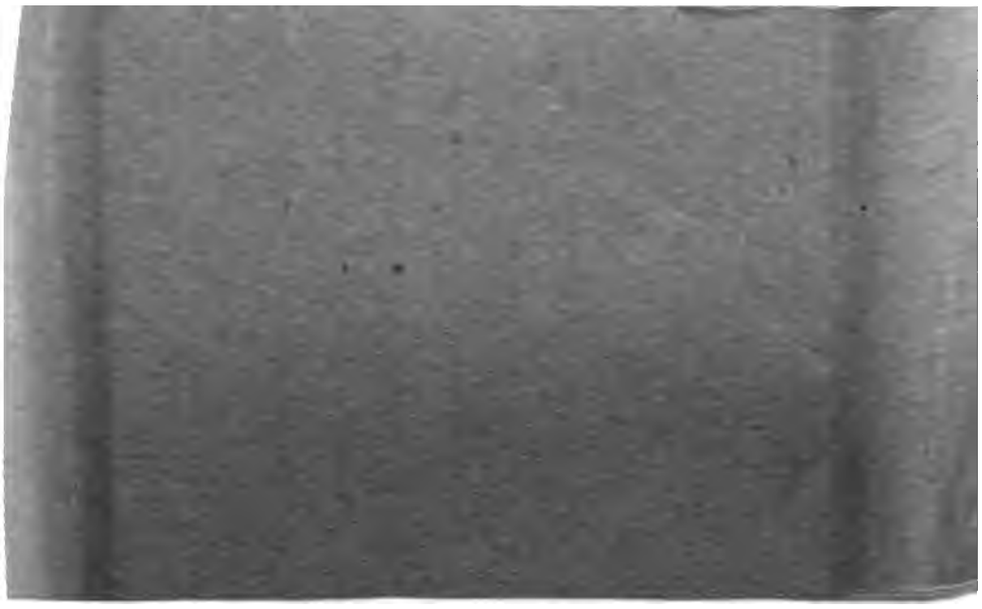
These statements recall a conversation which the writer had some years ago with a gentleman who had for many years held the position of criminal judge in the city of Portland, and who declared to him that not one of the graduates of the Reform School at Cape Elizabeth had ever been arraigned before him on a criminal charge.

Maryland.

The Baltimore House of Refuge is a city and not a State institution, though it makes its annual reports to the Legislature. The report of the superintendent, Mr. Wm. R. Lincoln, consists wholly of tables of statistics, so that we must resort to that of the board of managers for general information in regard to the condition and working of the Refuge. We learn from this, that the institution is in a highly flourishing and satisfactory state. The managers say: "The average age of the inmates is about thirteen years, and their cash earnings have been a trifle less than seven thousand dollars. Well regulated labor is an agent in their reform, whose importance cannot well be neglected nor overrated in an institution like the Refuge.

"The Sabbath services in the chapel and the Sunday schools have been sustained by the voluntary assistance of ministers of various denominations and a corps of teachers from the city, whose labors are efficient aids in the right training of children who, for the most part, have never been regularly submitted to religious instruction.

"The schools, seven in number, and with two daily sessions, were never in a better condition. Every attention is paid to practical instruction in those branches usually taught in the primary and grammar schools of the State. It is pleasant to know that we have ever had very many bright lads of studious disposition, sharp intel-



jcts and worthy aspirations, who would do credit to any school. To uch, instruction in the higher branches of education is freely afforded, nd not a few have left the institution with a fair elementary nowledge of natural philosophy, algebra and other sciences, and as reditable proficients in instrumental music.

"In the humanizing effects of music we have full confidence. Its tuition continues to hold a steady place in the moral education of the inmates, and developments of talent have been made that perhaps under no other circumstances would have been discovered. This is especially shown by the facility with which recruits are secured to fill vacancies occurring by the discharge from the house of the older members of the band. Vocal music is taught to the inmates in mass and in its elements as a study. The good effect of this is observed very notably in the chapel services."

The success of the institution in reforming those committed to it is attested not only by the emphatic affirmation of the managers, but by the criminal court of Baltimore, whose grand jury, in a recent official report to the judge, said: "As a fact, we can say *that but few white offenders of this city have been charged before us with offences against property, and that we trace the primary cause of this result to the beneficent working of the House of Refuge.* Boys arrested in the outset of crime have been reformed and saved, and, with a great increase in the population, the statistics of our State prison exhibit no increase in native white offenders against the laws of the State. *The House of Refuge has extirpated to a great extent the nurseries of crime* of one character, and, *without branding its inmates as convicts*, has returned a large number to usefulness and virtue, after retaining them until their reform and improvement were apparent."

Such a statement as this points, with unerring finger, to the neces sity and duty of a similar provision for rescuing and saving the neglected, idle and vicious children of the colored race in that great city, and pleads for it with a mute eloquence more potent than the voice of the orator.

Massachusetts.

1. *State Reform School at Westborough.*

This institution, which has now been in successful operation for more than twenty years, is conducted in part on the congregate and in part on the family principle. It was not, indeed, originally founded on this mixed plan, but adopted the plan in consequence of a fire, in which one-half of the edifice, first erected for the accommodation of the school, was consumed. Instead of rebuilding the part destroyed, several smaller houses have been constructed, accom-

modating thirty inmates each. Each of these houses is under th charge of a gentleman and his wife, who are thus able to give t the arrangements and discipline of their various establishments th atmosphere and influences of a genuine home.

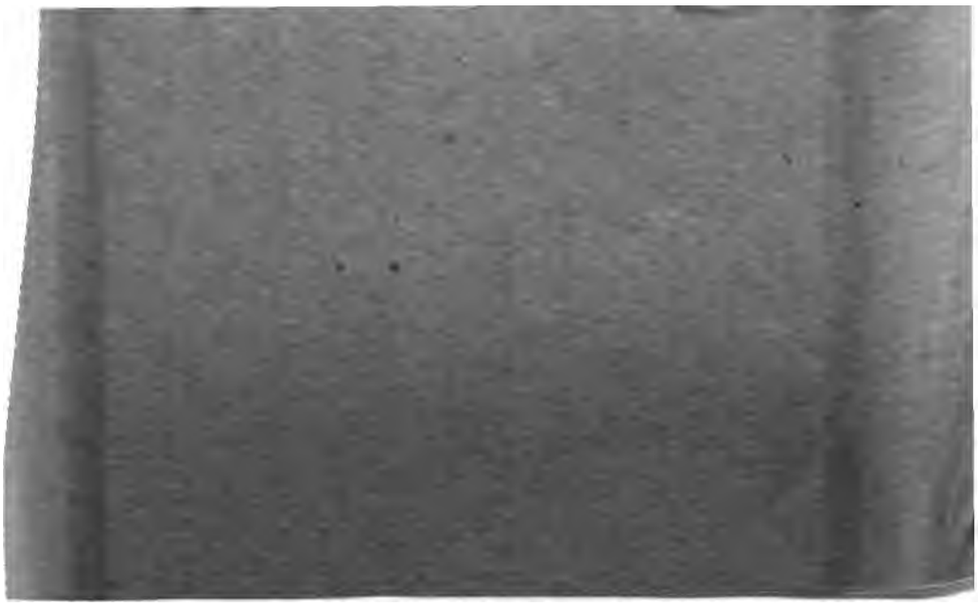
All the boys committed to the institution are first placed in th congregate department, from which, as a reward of merit, they ar promoted to one of the families, when vacancies occur in these b the discharge of their inmates. The members of the families hol their positions subject to forfeiture by misconduct, in consequence o which and as a punishment therefor, they are sent back to the con gregate department. This arrangement is found, in practice, t operate as a powerful stimulus to good conduct—first as the mean of purchasing a place in the family, where greater freedom and increased privileges are enjoyed; and no less, secondly, as a means of retaining it. The judgment of the trustees on this point is thus expressed in their report: "We think that the two systems (the congregate and the family) combined are better than either separate." And it must be admitted that there are advantages, lying on the surface and obvious at a glance, in this combination.

The trustees thus attest the beneficial results of the institution: "The semi-annual reports, which are required of all masters, almost invariably give good accounts of the boys. The percentage of those who do not do well is very small indeed, and is an encouraging feature in this work of reform, showing us as it does how many of these boys, with precious immortal souls, are thus saved from lives of degradation, vice and crime, almost sure to follow, if unchecked, the course they had commenced before coming here; while it would be difficult to compute the gain made to the State by thus preventing poverty, the destruction of property, etc., which are the inevitable result of such lives."

The schools have been kept up as usual, and with good progress on the part of the boys.

The Sabbath school is spoken of as a most efficient aid in the work of reform, and fervent gratitude is expressed to "those faithful Christian teachers who, in all weather, have for a series of years come up two and a half miles every Sabbath morning to take the principal part of the labor of teaching, and some of the time of superintending this Sabbath school."

A preaching service is held in the chapel every Sabbath morning, at which clergymen from the neighboring villages have officiated in turn. Measures, however, were in progress at the date of the report, by which it was hoped that the institution would "soon be provided with an able and faithful resident chaplain."



The Book of Devotions in use in the House of Refuge at New York has been adopted here, so that the boys may take a more active part in the exercises by responsive reading, singing, etc. This is done in the expectation of thereby securing better attention on their part, and interesting them more in the services.

As regards discipline, the superintendent, Mr. O. K. Hutchinson, remarks: "It has often been said, that the discipline of such a school as this should be as much like that of a well-regulated family as possible. This is undoubtedly true. Still, in a company of three hundred and twenty wild and wayward boys, it is necessary, in order to secure that degree of order which their happiness and improvement here require, that there should be some general rules and regulations, which are not needed in a small family. A grade system of discipline has been adopted the last year, and will, we think, be a valuable auxiliary in the management of the school. In our system, the standing of a boy is indicated by six grades — fourth, third, second, first, Trust, and Honor; the fourth being the lowest and Honor the highest. A boy on entering is placed in the third grade. If his conduct is bad, after admonition he is degraded to the fourth; if good, in due time he is promoted successively through the grades to Honor, his privileges increasing as he advances. We hope the system may be so perfected that the boys can earn their own release."

During the year, after much consideration, the military drill was introduced, with a view of improving the discipline, developing the muscular powers, giving the boys a more erect and gentlemanly bearing, and affording them a pleasant and healthy exercise. Both trustees and superintendent express satisfaction with the result. A pleasing effect is said to have been produced on the conduct and spirit of the boys.

The smaller boys of the establishment are gathered, to the number of twenty-four, into the Peter's House. There is one point here peculiarly attractive. Mr. Brown, the master of the house, says: "We make a specialty of raising flowers, and some of our boys are very proficient in this department, performing their work well. Of course I am not able to show any gain in a money point of view in this direction; we have been sufficiently compensated with the beautiful flowers, of which we have had an abundant supply. We think nothing is really lost by making the surroundings of the institution as pleasing to the eye as possible."

Much attention is given by the Garden House to fruit culture. The cash sales of strawberries from two and a half acres amounted to $1,606.64. There are between two and three acres covered with vines, to the number of six hundred, and the opinion is expressed

that grape-growing will be one of the most profitable branches o labor.

The boys in the Farm House cultivated seventeen acres of veget bles, besides doing much other farm work. The appraised value o the vegetables raised was, on the 30th of September, $3,108.5 besides all that had been used through the summer, and $75.37 wort sold.

2. *Nautical Reform School.*

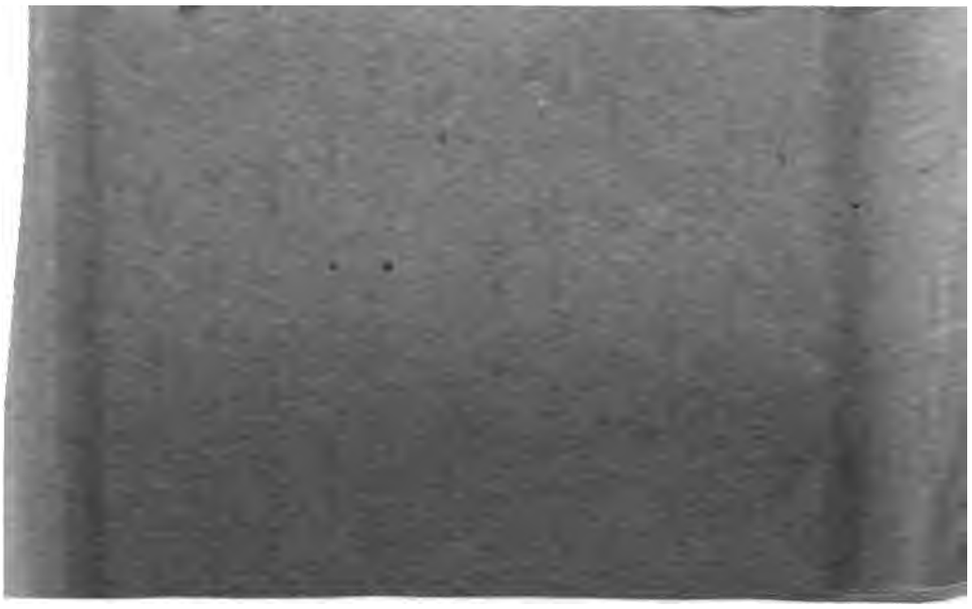
This institution is conducted in two school-ships, the "George M Barnard" and the "Massachusetts"—the former stationed in th harbor of Boston, and the latter in that of New Bedford. It wa established in 1860, and for five years was carried on in one ship when the accommodations became too restricted for all who were sentenced to it, and a second was added. The two vessels together are capable of accommodating 360 boys, and it was thought by the trustees, at the date of the report under review, that the whole space would be needed for the use of the school within the next ensuing year.

A somewhat extended notice of this institution having been given in the report of the Executive Committee, I will but add here two short extracts from the report of the teacher, Mr. Sidney Brooks: "Divided according to their ability into four classes, the number in each—beginning with the first or highest—stands, at present, 24, 32, 40 and 56. The first class are good readers, have made good progress in arithmetic, navigation and mathematical geography; the second class are also good readers, advanced in compound numbers and beginning navigation; the third class are yet learning the multiplication table and long division; the majority of the fourth class, though quick at reckoning, are beginners in written arithmetic; thirteen of the last are yet in the primer.

"More plainly have we traced, the year past, the effect of the school on the formation of character. Many receive an education here sufficient for all ordinary business, who inevitably would have grown up unable to read and write. They acquire habits of obedience of which they had before very vague ideas. On shipboard they *must* become mannerly and respectful. Promptness in the exercises here will be promptness everywhere. Neatness in the writing book will be neatness and method in the counting-room or workshop."

3. *State Industrial School for Girls, at Lancaster.*

This institution is conducted on the family system. It has accommodations for five families of thirty girls each, and each family is under the care of a matron and assistant matron. The following



extracts from the report of the excellent and indefatigable superintendent and chaplain, the Rev. Marcus Ames, will give a general and certainly an interesting view of the school in its working and results:

"The peculiar work of this institution was designed to be reformatory and educational, and that in its most practical sense.

"We naturally inquire what has been its progress in these respects the past year? How is it fulfilling its design? The attainments in study, the increased capability for household labor and sewing, the improvement in the general conduct of individual girls, and the marked increase of interest in religious truth, in public and social worship, and a larger number of instances of private prayer, give us the assurance of most encouraging progress, and of relative advance over years previous.

"This institution, established by this Commonwealth eleven years ago, for the special purpose of reforming girls who were hasting to ruin, furnishes most decided encouragement for increased labor in this direction. During the past five years, since my connection with it, I find that one-fifth of the girls who have passed from under its control, as of age, have married, having homes of their own, and doing well therein. About one-half are living worthily, performing service in families and elsewhere, not only having ceased to be burdens to society, but having really become workers therein. I could cite instances of girls, far advanced in vicious courses, who are now illustrating in their lives the lessons here received of truth, virtue and piety. I now recall one who had been addicted to the most vicious courses, whose life was such that her eldest sister, filled with grief and mortification, exclaimed as we walked the streets of the city in endeavors to recall her from her accustomed haunts of vice, 'I wish she were dead!' but whom we recently visited in her own New England home, in her quiet cottage, furnished with the necessary comforts of life, her husband a worthy mechanic, both of whom are members of the church in their village, leading lives of industry, morality and piety.

"Others less initiated in crime, but whose dispositions, tendencies and circumstances were such that they would soon have become curses to society, have been influenced to enter a higher and better path. One of this class, whose father was intemperate and mother incapable of training her children, received into her heart the lessons here given, was changed in purpose and habits, indentured to a Christian family, greatly beloved by them, identifying herself with them, watchful of their wishes and interests, recently married 'the best young man in town,' and is making for him a happy home.

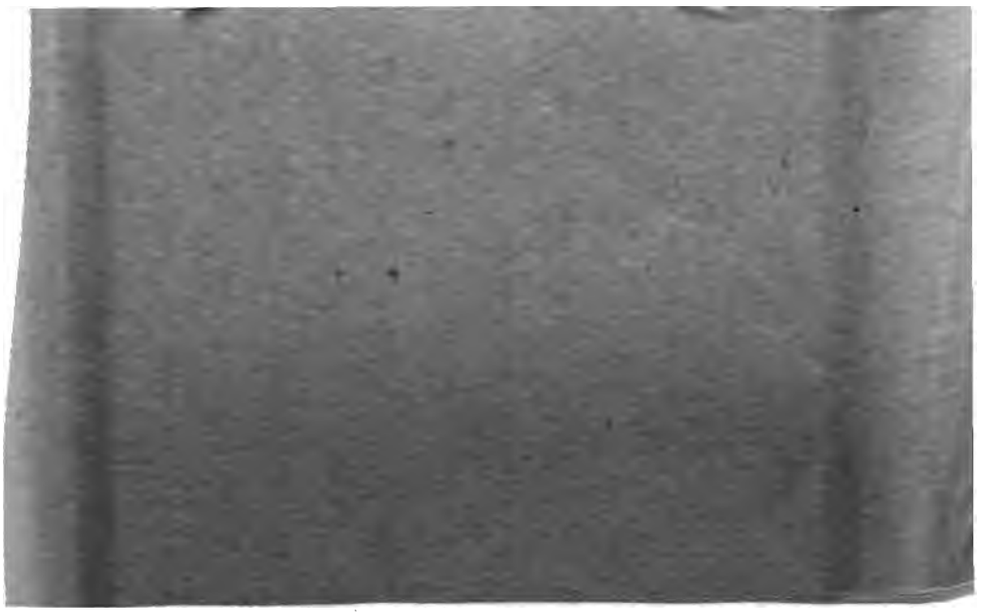
"Another—perverse, fretful, gay and frivolous—was reformed, indentured to a respectable family, stayed till eighteen, afterward worked in another good family, married the son, and is now a happy, useful wife and mother.

"Still another, 'stubborn and disobedient,' a constant trial to her friends at home, under the firm, judicious training of a matron of much experience, by the blessing of God transformed into a pleasant, lovely young lady, returned to her widowed mother, a joy and blessing.

"We have an increasing conviction that the success of such labors will be even *greater* in the future than in the past, as increased experience will lead to a wiser adaptation of means and efforts; also, because of the augmented interest in the *community*, as seen in a spirit of co-operation with reformatories in *carrying forward* the work there commenced, as the girls go forth into service in families, or take their position in general society."

Mr. Ames discusses the question at considerable length, "How should reformatories be conducted?" He presents many considerations, and those of no little force, in favor of the family principle. We can make room for but one of his arguments:

"The great value of the family system lies in this,—that it affords opportunity for direct individual contact, and that continuously, with intelligent, superior, refined, Christian minds, at a period most favorable for reforming and moulding. Who that considers the influence and power of a single superior mind over a community, will not readily perceive the great value of a system which admits of and requires the continued presence of women of the character above described? As surely as the truth of the proverb, 'Like begets like,' and, 'As is the mother so is the daughter,' so is that system preferable which admits of the more frequent and intimate intercourse with the moulding and transforming power, in which respect the family system is evidently superior to any other. * * An indispensable requisite to success in a reformatory, is a class of workers whose natural endowments and spirit adapt them to the work. The standard of the family will be, not according to the instructions alone, but according to the spirit and example of the workers. The open Bible which the girls will mostly read is the speaking eye, the placid countenance, the calm tone, the spirit of patience and self-denial, and the works of daily love, of the matrons about them. The great agency in reformatories, as in the world, for its redemption, is the gospel of God; but the gospel as exhibited in the spirit and lives of the officers. Thus shall the inmates best read and learn lessons of honesty, purity, meekness, patience, reverence, love and prayerfulness."



4. *House of Reformation, on Deer Island.*

The House of Reformation is one of those public institutions situated on Deer Island, in Boston harbor, the other two being the Alms House and the House of Industry — the latter a prison for the punishment of persons convicted of minor offences — and all under the same administration. This is a bad arrangement, as it necessarily — despite all precautions — must bring the children into frequent contact with men and women whose irregular and vicious lives have brought them to the poor-house or the prison, and whose company and converse, as far as they have influence at all (and they *will* have influence), must be destructive of that purity of thought and uprightness of life which it is the aim and effort of the institution to impart to its inmates. Nevertheless, that the House of Reformation was a benefit, morally and mentally, to the 365 boys and girls subject to its discipline in 1867, is attested by the following paragraphs from the report of the superintendent, Mr. T. E. Payson:

"Good order has been the rule among the boys, and much progress has been made by them in scholarship. It has been the most satisfactory period of my connection with the institution. More good has been accomplished than in any previous year.

"The credit of this is due to the teachers and subordinate officers. The duties of the superintendent are easy and agreeable, the boys satisfied and happy, and the whole machinery of the place works smoothly and harmoniously, when subordinates are competent for their places.

"Mr. David A. Caldwell has been the principal teacher in the boys' department during the last winter, and his testimony is of value. It is as follows:

"'The health, disposition, discipline and progress of the boys in the House of Reformation have been very satisfactory during the last six months.

"'The first division has been under my direction, and in all particulars has succeeded far beyond my expectations. It has never been my good fortune to have charge of a class, who were so ready and eager to learn. Nearly all had been at work on the farm through the summer, were strong in body, and well able to do hard mental labor. In grammar, history, spelling, reading and writing, all the boys in the division have recited together. In geography and arithmetic (both mental and written), they have been divided into three classes. Every class and every boy in each class has done well. In every instance I have taken the classes over more ground than is allotted for a full year in the city schools, and I am sure that any

class would bear comparison with the corresponding one of the grammar schools in the city.

"'I cannot speak too highly of the deportment. The boys have been pleased to so conduct themselves that no case of punishment for a misdemeanor in school during the term remains on record. It is with pleasure I attest the fact, that after teaching in private, high and grammar schools, I have taught the pleasantest, most orderly and successful school in a House of Reformation.'"

The testimony of Miss Brackett, the teacher of the girls, is less emphatic; still she speaks favorably of their "good conduct, ready obedience and reasonable application to study."

Michigan.

The State Reform School of Michigan, conducted on the congregate plan, and for boys only, is at Lansing, the capital of the State.

A few extracts from the annual report will give a general idea of the good work done there.

The superintendent, Rev. Charles Johnson, thus speaks of the several classes of boys that make up the population of the reformatory:

"Bright, active, intelligent boys, from families who have good homes, a dear mother whose heart comes with her boy, and who never suffers time to pass without, in affectionate remembrance, pressing that boy to her heart. Many of these boys are here from willfulness, and having, perhaps, too much of their own way. It proves in these cases that parental indulgence was not the best training for them.

"Another class are the children of unhappy marital relations, and in the bitterness engendered, the boy suffers, goes from home to seek more congenial companions, becomes wayward in the absence of the guiding hand of affection, and falls into vicious ways, and so finds a home in the Reform School. This class is far too numerous.

"Intemperance, with its attendant evils, is a strong arm, sweeping in the tide of vicious, strong-passioned, wayward youth to Reform Schools, Houses of Correction and State Prisons, and its fruits are found in great abundance in this school—not only in the numbers brought here, but in the difficulties that lie in the way of true reformation.

"'Nobody's boy' is brought here. Father and mother so long dead that they have no distinct remembrance of them. Wanderers from place to place, sleeping where night overtakes them. Sometimes in pinching want, and then amply supplied; imbibing a spirit of antagonism against all whose rights they invade, or whose counsels they

reject; not originally bad at heart, but trained so by associations with which they come in contact.

"The sympathy and benevolence which is distressed at poverty and want, and desires to provide a good home for the children, contributes its share toward keeping our number good, and often, too, in sending those here for whom it is manifestly the duty of the cities and counties to provide.

"A father sometimes comes with his own boy, in whose way he has laid a snare to entrap him, that he may dispose of his own child. To say nothing of such a father's own principles, what shall be the influence on such a boy's mind, as he grows up and begins to realize the action of his father? It will require more than ordinary power to inspire the child with any faith in humanity, when his own father has thus used him. We would that a solitary instance only could be found. In short, a strange mixture of causes are working, from whose results a constant supply is being received to fill all available space in the school."

The report of the superintendent states the religious agencies employed in these words:

"Sabbath services have been this year as last. Sunday school in the morning at 9 o'clock, in which, during the summer, the topical method of instruction has been followed with much apparent interest, giving an outline of the principal events of the Saviour's life on earth. And here we would express our indebtedness to several gentlemen and ladies in the city, who have been efficient helpers in this work.

"Preaching and addresses by the resident clergymen of the city, alternating; and as friends from abroad have passed Sabbaths in the town, they have come to assist in this work."

The recreations of the boys are thus sketched:

"The usual sports that boys in village and city schools enjoy are allowed to the boys here, and the earnestness with which they enter them shows clearly that but little fun runs to waste. Completing labor before the usual hours of closing shops brings corresponding hours of play. In the winter season they often go in large or small companies to the river for skating, and in summer base ball is a favorite game. Marbles at all times, when weather will permit, will find devotees. New Year, Fourth of July and Christmas are generally special holidays, when the good things of the table abound, only to meet appetites peculiarly fitted for their reception. At such seasons all things are made subservient to the special pleasures of the boys. The boys receive many tokens of remembrance from home in those ways in which a mother or a sister can best show their desire

for their happiness or gratification. These gifts are readily shar by their companions, without grudge or stint."

The Board of Control speak in this language of the results of th lessons and training given in the institution:

"It is an encouraging fact that so large a portion of the enti number who have left the institution have subsequently mai tained their integrity, and that numbers of them are now holdi positions of trust and responsibility, and are proving themselv worthy of the same. Of the entire number discharged—to wi 583—since the institution was first opened, the exceptions to a co rect future are by no means numerous, and will compare, not unf vorably, with a like number in any sphere of youthful life."

Missouri.

The St. Louis House of Refuge is a city and not a State institutio An attempt was made some two years ago to change its relations i this respect, so as to place it under State control, but it was not su cessful. This result was deplored as unfortunate by the friends o the Refuge.

Mr. Gleason, who has been superintendent from the origin of th institution, is a gentleman of ability, character and competency; bu he labors under many difficulties and impediments in his work. Th limits of age, at which children are admissible here, extend farther in both directions, than those of any other institution of the kind i the United States, being from two years to twenty; and, in the repor under review, one female is set down as having been received at th age of twenty-eight. Such a range of ages as this would make the institution at once a nursery, a reform school and a prison; a combination incongruous in itself, and hostile at once to unity of design and efficiency of administration. Again, the average period of retention of the inmates in the Refuge is much less than that of any other similar institution in the land. Three years ago, when the Commissioners of the Prison Association addressed a series of interrogations to the heads of reform schools throughout the United States, the reply of Mr. Gleason to a question on this point was: "Hitherto it has not exceeded seven months;" whereas most of the superintendents gave the average stay as two and two-and-a-half years, and some as high as three. I am glad to notice, in the report on my table, that the average period of detention for 1867 was fifteen and one-half months; a gratifying advance. A third impediment to the most successful working of the institution is the want of sufficient room for its operations. The main edifice was some years ago destroyed by fire, and has not since been rebuilt—the work of recon-

struction having been delayed, among other causes, by the uncertainty as to whether the institution was to remain where it is, or be removed to another site, beyond the limits of the city of St. Louis.

Despite these drawbacks, the St. Louis House of Refuge accomplishes a good work. The managers close their report for the year in these words:

"Believing that this institution, imperfect as it is, has permanently benefited many of its inmates — rescued them from vile habits, evil passions, and a downward career in crime — restoring many to society as useful members thereof — it should therefore be ranked among the first charities of the city, and be deemed worthy of a liberal support from our municipal authorities, to whom this report is respectfully submitted."

New Hampshire.

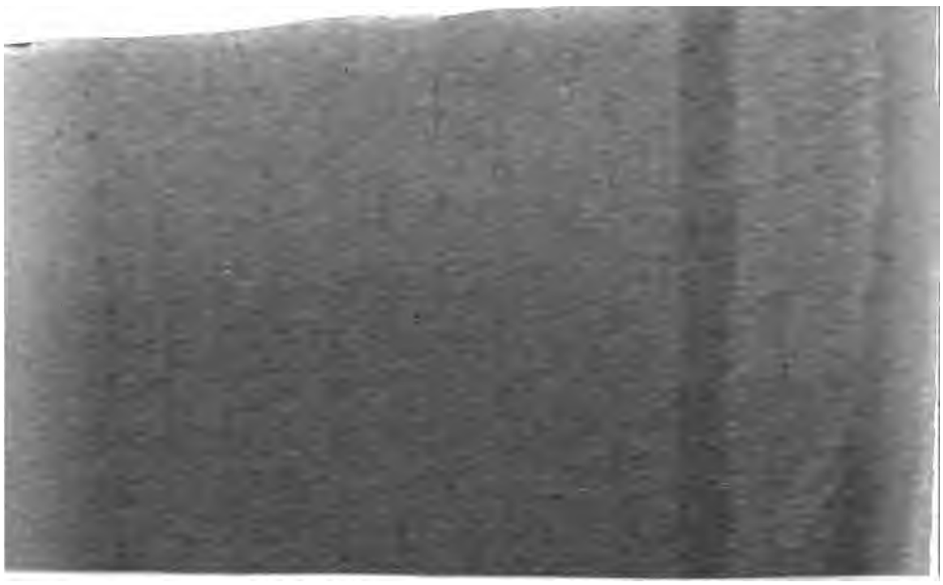
The State Reform School of New Hampshire receives children of both sexes. Heretofore the inmates of this institution have enjoyed the advantages of the school-room only for a short period during the winter months. Little progress in learning was made under this system. What was learned in the winter was forgotten in the summer. To remedy this evil, the plan, usual in other institutions of this class, has been adopted; that is, of having a continuous school throughout the year — giving nearly all the time to study during the winter months, and two or three hours a day for the remainder of the year. This change has worked a great improvement, insomuch that, at the last annual examination, the State superintendent of public schools declared publicly: "The Reform School is really one of the best schools in New Hampshire."

The trustees express their sense of the "great need of a library for the use of the school," and earnestly petition the Legislature for "means to supply the want." It is certainly an unwise economy which withholds the means of providing an agency which has proved itself, wherever it has been employed — in prisons as well as reformatories — an effective aid to reformation.

The results reported are cheering. Of the discharged, most, so far as heard from, are doing well. Some have gone back to old comrades, and have fallen away to their former evil courses; but the major part have secured remunerative employment, and are leading upright lives.

New Jersey.

The New Jersey State Reform School for boys received its first inmate on the 6th day of July, 1867. Two others were admitted during that month, and by the first of December, the date of the



report, the number had reached twenty-six. The institution was formally opened by prayer and appropriate addresses on the 29th of October. It is thus seen that this reformatory is yet in its earliest infancy; but it has evidently a vigorous vitality, and its form and lineaments are remarkably "fair and comely." The report is exceedingly well conceived and well drawn, and it is as interesting as it is able. We wish it were in our power to spread it entire before our readers; but that is impossible, and we must content ourselves with but a very brief summary.

The system proposed is, to have families of boys in separate houses, each under the care of a man and his wife. Such an arrangement, it is believed, will awaken home interests and home affections in the boys, and bring them under home influences, to a greater degree than would or could be the case in the large congregate refuges of metropolitan cities.

The greater part of the boys thus far brought to the institution have been, when received, ragged, filthy, profane, untruthful and ignorant in the extreme; with minds poisoned and hearts corrupted by evil associations; yet bright, shrewd, active and capable. Ten of them were brought with shackles on their wrists.

On receiving them, the first thing is to strike off their bonds, wash them, comb their hair, clothe them decently, and send them either to the school room or the field. They are at once put upon their sense of honor and duty; and, so far, there has been but one betrayal of trust.

The boys are employed at work in the forenoon, attend school in the afternoon, and in the evening receive their *credits* or *demerits*, attend to devotional exercises, are kindly and tenderly counseled, and listen to instructions of a miscellaneous character.

The gentle but mighty pressure of moral and social influence, the kindly forces of a Christian family, interpenetrate and control all its discipline; physical restraint and correction are unknown.

A system of moral rewards by grading has been introduced, which puts the fate of each boy measurably in his own hands; so that he sees and feels, day by day, that all his endeavors toward a better life meet a prompt reward and shorten his time of retention, while a contrary course abridges his privileges and postpones his release. A year of uninterrupted good conduct earns a conditional discharge.

The results of this system are thus stated by the superintendent, the Rev. Luther H. Sheldon:

"The influence of this method of discipline is wonderfully successful. The results are gratifying and surprising to those who daily witness the improvement of most of the boys. Not an instance of

an open quarrel among the boys, not a pert, angry, or saucy word to any of the officers, has been known since the school received its first lad. No boy has escaped from the farm, though some of them are sent miles away, unaccompanied by any officer of the institution, to attend to the common errands of the family. In fact, there has been but one attempt to escape, and that was unsuccessful.

"For a few weeks after entering the institution the boys cling to their old habits, but soon begin to drop such peculiarities as are displeasing to the officers, and manifest a disposition to gratify the wishes of those who have the control of them.

"They are cheerful, affectionate and confiding, and, generally, industrious. They willingly yield to one of their own number, appointed to the position of monitor, and for the most part attend promptly to the duties assigned them. They are ambitious to multiply their 'credits,' and thus advance in their 'grade.' Their deportment will compare favorably with the conduct of boys in our best boarding schools.

"Many of them appear to be as trustworthy as any boy of the same age and intelligence. This is apparent in their quiet and steady labor under the care of one of their own number, while the officers are absent; and also in the promptness with which they perform their duties, when sent alone to different places in this or other towns."

The school is established on the "open farm and family system," with no massive walls and iron gates. Bolts and bars are unknown, the restraint being wholly of a moral kind. The power to hold and reform lies in confidence secured and affection won, and in the just, kind, firm, Christian treatment of every boy by every officer.

New York.

The writer of the present paper having recently prepared for one of our daily journals an article on Dr. Pierce's late work, in which the several reformatories in this State pass under review, avails himself of the material thus made ready, in his *résumé* of the work of these institutions.

The Rev. Dr. Peirce, chaplain of the New York House of Refuge, has published a volume of 384 pages, under the title of "A Half Century with Juvenile Delinquents." We have risen from the perusal of the book, profoundly impressed with the breadth as well as the beneficence of reformatory work, both at home and abroad; for, while the author's main design is, to give a history of the institution on Randall's Island, he has, at the same time, recounted the chief experiments in Europe and the United States, which have been originated since its establishment.

1. *Early efforts in behalf of vagrant and criminal children.*

Efforts looking to the reformation of vagrant and criminal chil began to be made early in the present century. As far back as 1 the Rev. Dr. Stanford, chaplain to the penitentiary and eleemosyn institutions of New York, addressed a communication to the aut ities of that city, in which he proposed the creation of an asylum vagrants, arguing "its promising advantages to prevent the comm sion of crime," and adding, that "since his duties had led him i the penitentiary, a ten-fold weight of conviction had pressed u him of the importance of a separate place for the reception of vagr children." In 1817, Mrs. Elizabeth Fry, her brother, Joseph Jo Gurney, and others of her personal friends, formed the "Lond Philanthropic Society." The same year, this society founded institution for the reformation of criminal youth of both sexes. this institution, Professor John Griscom, LL. D., found, in 18 150 boys and 50 girls, who worked at printing, book-binding, sh making, tailoring, twine-spinning, and other handicrafts during t day, and were gathered into schools at night, where they were ca fully instructed both in the principles of religion and the elements learning. He was deeply impressed by what he saw. In 181 John Falk founded a reformatory at Weimar, in Germany, for t children of criminals and criminal children, which proved high successful. Next to moral and religious instruction as a means criminal reformation, Mr. Falk placed *honest and useful labor.* 1819, Count Adelbert von der Reche Volmerstein founded, Rhenish Prussia, his asylum for neglected orphans and children vagabonds and convicts. This is one of the largest and most usef of the reformatory establishments in Europe, having sent forth fro its sheltering arms more than 2,000 boys and girls. A similar insti tution was established the same year—1819—in Berlin, by Mr Wadzek; and in 1824, in the same city, was founded a House o Refuge for children morally neglected.

None of the establishments above mentioned received their inmate from the courts, or held them on legal warrants. The relation wa voluntary on both sides. The children were generally received under 12 years of age, and were retained for long periods—for the most part until they had mastered a trade, and were able to set up in business for themselves. These two principles—absence of legal constraint and length of retention—constitute the essential difference between the institutions just named and the New York House of Refuge, which has served as a model for all American and most European reformatories, established since its organization.

In 1817, under the leadership of Dr. Griscom, a society was formed for the prevention of pauperism in the city of New York. The first regular meeting of the society was held in February next ensuing, at which an able and exhaustive report was made by Dr. Griscom on the causes and cure of pauperism; a report which awakened a strong interest in the condition of the criminal institutions of the city, and led to a closer examination of them. In the second report—1819—also prepared by Dr. Griscom, attention was called to the fact, that in the Belleview penitentiary there was no separation between adult and youthful criminals, and the report recommended the erection, within the prison enclosure, of a building for the younger convicts. The sixth annual report of this association, in 1823, was devoted almost wholly to the consideration of juvenile delinquency. The author of the paper was James W. Gerard, Esq., then just beginning his career as a lawyer. He insisted strongly that young offenders should be imprisoned in a separate building, where, if possible, they should hear no clanking of chains and feel no restraint of bolts and bars, but rather find themselves in a place of instruction and work, and so preparing for usefulness and respectability in some honest calling. The refuge, however, proposed by Mr. Gerard, was designed only for "*young delinquents when discharged from prison*," or at best as a "separate place of confinement for young criminals." It was reserved for the next report, prepared by Dr. Griscom and submitted toward the close of the same year, to develop the true idea of the House of Refuge. This report took the ground, that "the children of neglectful, intemperate and vicious parents, and those who are trained to sin, should be *saved from prison*, even though they may have been guilty of actual crime." The Committee added that they could not but believe that every citizen, from the facts spread before him, would fully agree with them, "that it is highly expedient that a HOUSE OF REFUGE FOR JUVENILE DELINQUENTS should, as soon as practicable, be established in the immediate vicinity of this city."

2. *New York House of Refuge.*

New York did agree with these benevolent and far-seeing citizens, and the result was the formation of a Society for the Reformation of Juvenile Delinquents, and the opening, on the first day of January, 1825, with simple but fitting services, of an institution the results of which for good no human foresight could then, or can now, estimate in all their magnitude. For nearly half a century this institution has been fulfilling its mission and developing these results, but as yet it has scarcely crossed the threshhold of its work. The most vigorous imagination fails to pierce the far-off future, and to hold

within the sweep of its vision the long and ever-widening processi of youthful delinquents, who shall be "regenerated, redeemed a disenthralled" by its reforming and transforming power.

All the departments of the institution are well organized and ef ciently conducted by competent and faithful officers — its disciplin its hygiene, its industries, its schools, and its moral and religio appliances. On his reception to the house, two rules, open to th comprehension of dullness itself, are announced to the new com for the regulation of his daily life, from the beginning to the end o his connection with it: 1. "Tell no lies;" 2. "Always do the be you can." How simple these principles, yet how far-reaching i their grasp. The hearty co-operation of the inmates is secured by system of moral rewards, in the form of grades and badges, dete mined by marks, and especially by the privilege of shortening th period of their detention in the house; for it is in the power of an boy or girl to gain his or her release from the Refuge by retainin grade No. 1 for fifty-two weeks in succession, and attaining to th highest class in school.

There is no institution in this country or in Europe which ha received and graduated so large a number of criminal children. The Agricultural Colony of Mettray, in France, probably comes next t it; in this institution the average number of inmates is about 600. The average number in the New York House of Refuge is now, in round numbers, 1,000; and the whole number sent forth from it dur- ing the forty-three years of its existence is 11,280, three-fourths of whom at least have been reformed and have done well since their discharge.

3. *Western House of Refuge.*

The Western House of Refuge, at Rochester, was founded in 1849. This is a State institution and is designed for the reception of boys only. On its organization Mr. Samuel S. Wood was transferred from the superintendency of the New York House to that at Rochester. His large experience and high administrative ability, it was thought, would be of essential service in the new institution. Nor did the result belie the promise. Dr. Peirce remarks: "This station he retained, with great credit to himself and benefit to the thousands of lads who have passed through the halls of the Western House, until the present year (1868). His memory will ever be cherished in the hearts of these reclaimed young men."

4. *New York Juvenile Asylum.*

In 1851 a third institution, similar in its general purpose, but intended for younger and less criminal children — the New York

uvenile Asylum — was established in the city of New York. The uvenile Asylum receives under its care children between the ages f seven and fourteen; and not only such as are committed by legal uthority, but such also as are entrusted to it by their parents. The Asylum itself is on 175th street, near High Bridge; but there is a House of Reception in the heart of the city, in which all vagrant children of both sexes can be placed, who, at the expiration of ten days, if not reclaimed by their proper guardians (due notice having been given), become the wards of the Asylum, "to be detained, discharged or indentured during minority, at the pleasure of the managers." Nearly 13,000 children have been received, and over 12,000 have been sent forth from under its fostering care. An efficient agency has been established in Chicago to facilitate the distribution of the children to the farms and workshops of the great West, and to maintain an effective supervision over them after they shall have been placed in their new homes, both by correspondence and personal visitation. The institution, in both its departments, has been managed with much wisdom, and has become, deservedly, an object of pride and gratulation, not only to its directors but to the whole community.

5. *Roman Catholic Juvenile Asylum.*

In 1863 a society for the protection of destitute Roman Catholic children in the city of New York was incorporated, and a new institution created on the general model of the Juvenile Asylum. It receives girls as well as boys, but the different sexes are in separate houses and under distinct administrations. The boys' house already contains 700 *protégés;* that of the girls, 170. The question is under consideration of purchasing a large farm in some Western State, to which many of the children may be sent, and from which they may be distributed throughout the farming districts of that vast region.

6. *Other Organizations for Vagrant and Vicious Children.*

But we must withdraw the hand. Numerous other organizations, looking to the care of juvenile vagrancy and crime, in the old world as well as the new, are passed under review in this most interesting book; particularly the Five Points House of Industry, the Howard Mission for Little Wanderers, and last, though far from least, the Children's Aid Society.

In the preparation of his "Half Century with Juvenile Delinquents," Dr. Peirce has performed a service of signal utility to his country and the world. He has brought to the execution of his task a vigorous intellect, a warm heart, a graceful pen and a thorough knowledge of his subject. No similar work has ever issued from the

American press, and it merits, as it should receive, a wide circulat among his countrymen. The New York House of Refuge is fo nate in its chaplain, and reformatory work in America no less fo nate in its historian.

OHIO.

1. *Cincinnati House of Refuge.*

This is a city institution and receives children of both sexes. is conducted on the congregate plan; though, from an inciden remark in the report, we learn that the "children are separated i divisions or families."

The discipline is conducted on the principle of classification acco ing to merit, and is found to work well. The directors say: "I our system of merits and demerits the number of children attaini their badge of honor is increasing every year."

Reformation is effected in a great majority of cases. An offic who was sent out to visit apprentices reported having seen and co versed with forty-three boys and girls. All but two were doing we The case of one boy is reported, concerning whom it was long thoug that "he never would reform." However, during the last year his stay, a great change took place, and he was discharged wit honor. He was indentured, and some time afterward died. Th testimony concerning him was given by his master: "A more hones obedient, faithful boy I never expect to see. I had never the lea occasion to tell him that he had strayed from the path of duty. I all my affairs he took a deep interest; ever ready and willing to len a helping hand; always with a kind word and a pleasant counte nance. He was an example for a great many older persons."

Of the time devoted to school, the improvement made, and th facilities for general culture by reading, Mr. Monfort, the superin tendent, says:

"The boys have been in school two hours in the morning, and one and one-half hours in the evening; and the girls two and one-half hours in the afternoon, during the summer. Good teachers have been provided; marked progress has been noticed in many instances, and the pupils generally have evinced a commendable degree of interest in their studies. They show at all times a strong desire to read, and to meet this want a reading room has been established, with beneficial results. For this and the library ample provision should be made, education being one of the great levers of reform."

2. *State Reform Farm and School.*

This institution is quite unique in this country, being arranged and conducted upon the general model of the Agricultural Colony

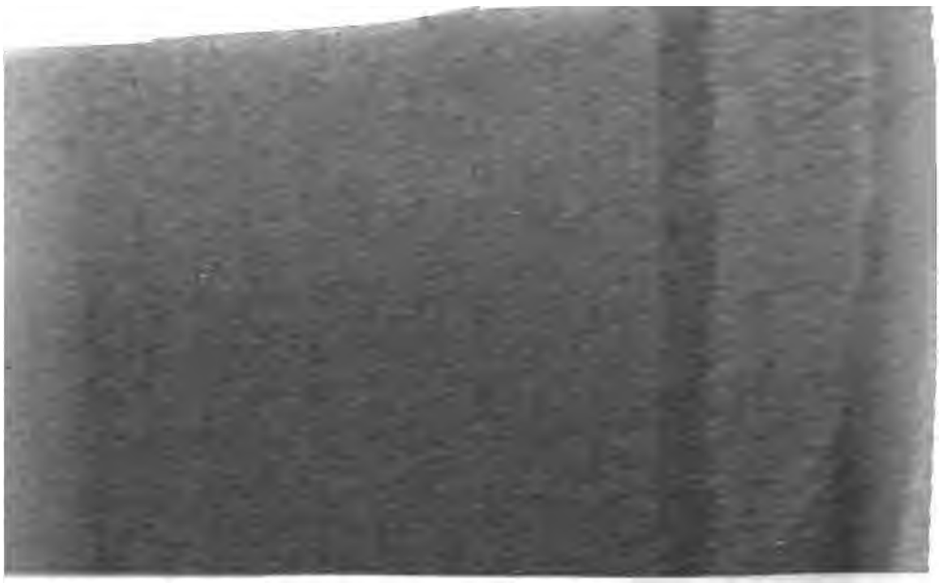
ettray, in the South of France. The report for 1867 is the 12th
ıal issue of the kind. It is a document of much ability and
est. We would wish to quote copiously from its instructive
s; but must limit our citations to the following paragraphs:

The Ohio Reform School is located upon a farm of 1170 acres,
niles south of Lancaster, Fairfield county, Ohio. The farm is
ted on what are called the 'Hocking hills'—being five or six
lred feet above the level of the Hocking valley. The climate
is elevation is delightful and healthful, and the scenery and sur-
dings are beautiful. The soil is thin and unproductive, being
posed of clay and sand, and underlaid at a depth of from two to
t feet with sand rock. The timber consists mostly of a small
th of pine, oak and chestnut. About one-fourth of the farm is
iently level to admit of cultivation with the plow—the balance
g composed of slopes and ravines, a part of which may at some
be profitably converted into vineyards. There are now about
acres of land cleared, the balance being set with a thick growth
nderbrush and small timber. The farm seems to be very well
ted to the growth of many kinds of fruit, especially the peach.
nsequence of the pure dry atmosphere, grapes of superior quality
also be produced. The orchards, including the vineyards and
l fruits, now cover about 150 acres—the remainder of the cleared
ion being devoted to gardening, the raising of farm products and
ırage. Fruit-growing, gardening, and the raising of nursery trees,
t always remunerative pecuniarily, has been found very profit-
employment for the elevation of the minds of wayward boys.

Shop labor is carried on sufficiently to manufacture the shoes and
ing for the institution; also to do the blacksmithing and car-
er work needed.

The buildings are located near the south line of the farm, and
ıding yards, lawns and play grounds, occupy ten acres of ground.
lawns are tastefully laid out, and ornamented with evergreens,
bs and flowers.

The buildings include—one main building, eight family build-
, three bathing houses, two shop buildings, two large barns, a
l house, bake house, lock-up, wash house, ice house, dry house,
house and tool house, together with several out-buildings. The
ı building is 154 feet long, 72 feet wide with 40 feet width of
g, and is two stories high above the basement. In the basement
two furnace rooms, an ironing room, a store room, and four large
ır rooms. On the first floor are the office, reception room, parlor,
dining rooms, kitchen, two store rooms, vestibule to chapel, two
and one sleeping room for domestics.



"On the second floor are the chapel, reading and lecture room, hospital, acting commissioner's family rooms, two guest rooms, and rooms for teachers and employés.

"The new family buildings are 57 feet long by 36 wide, and are two stories high above the basement. The basement contains a furnace room, tank room, and a large wash room, which is also used for a play room in stormy weather. On the first floor are two rooms for the Elder Brother and his family, and a large school room. The school room is also used as a boys' sitting room, and for evening and devotional exercises.

"The second story contains the boys' dormitory, a small sleeping room for the assistant Elder Brother, a room for the boys' Sunday clothing, and a night closet. These buildings are plainly but neatly finished and furnished, and make a very comfortable and pleasant home for a family of fifty boys.

"The first ten boys were received into the Institution from the Cincinnati House of Refuge, January 30, 1858. Since that date eight hundred boys have been received, of which number 240 now remain. The boys are classed in families, and are cared for by officers called Elder Brothers. Each family contains fifty boys, and is under the supervision of an Elder Brother, an assistant Elder Brother, and a female teacher.

"No high fences, walls, bolts or bars are used to restrain the boys, or prevent them from escaping. By kind treatment and judicious management, at least three-fourths of the boys, at all times, can be trusted to go to any part of the farm, or even to town on business without supervision, and without any danger of their escaping."

Pennsylvania.

1. *Philadelphia House of Refuge — White Department.*

The Philadelphia House of Refuge was an early fruit of that of New York, having been opened three years subsequently, that is, in 1828. The average daily number in the house in 1867 was less than half the average of its prototype: the whole number received since its organization is not stated.

The only statements of general interest in the report of the superintendent, Mr. McKeever, are the following: "The information we have received of those indentured is generally of a very satisfactory character. Many of them give every promise of becoming respectable and useful members of society. * * Our Sabbath school, under the efficient superintendence of William S. Morrison, continues to be the instrumentality by which we trust much good is done. All the teachers appear to be earnest and faithful."

2. *Philadelphia House of Refuge — Colored Department.*

This department is efficiently conducted under the superintendence of Mr. Laverty, who says, in his report: "Visitors frequently observe — what to them seems strange — the evident content and cheerfulness of our children. To us there is nothing strange in this cheerful content. Indeed, we have every reason to expect it. Every thing that Christianity, together with a judicious treatment of our children, can devise, is secured by the board; while all that is calculated to tempt to do wrong, to irritate, or to dissatisfy, is removed.

"We continue to receive reports of a very satisfactory character of those indentured, as well as of those who, by the expiration of their apprenticeship, have passed beyond the control of the board. We claim nothing more than our records show when we say, that, with all the embarrassments imputed to the 'congregated system,' seventy per cent of our former inmates are now doing well."

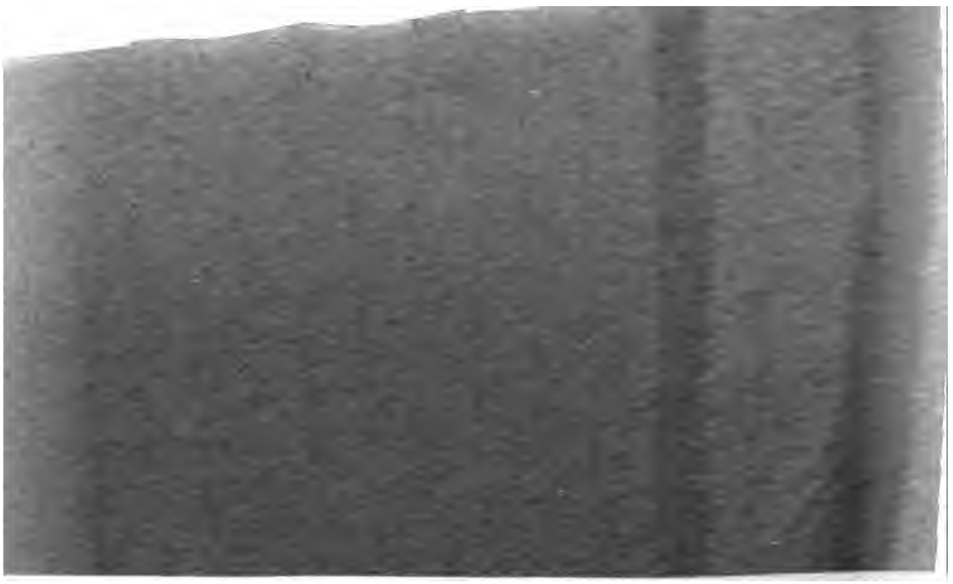
The board of managers, speaking of both departments of the Refuge, say: "The just expectations of the community have been realized by the success that has attended the efforts of those who have been intrusted with the management of this noble charity. * * Where a full opportunity has been afforded for the discipline of the house to exercise its benign influence, there have not been many cases in which success has not followed."

3. *House of Refuge for Western Pennsylvania.*

The character of the institution and its general results are thus sketched by the board of managers:

"In reviewing the labors of the year, and contrasting the present with the past, we have abundant cause of thankfulness for the measure of success which has crowned our efforts. The mild and paternal yet firm discipline of the house has had a salutary effect on our children, and the Refuge presents the picture of a well-regulated school, rather than a penal establishment for restraint and correction merely. Words of sympathy and love have proved all-powerful in reclaiming these youthful wanderers, and drawing them back to the paths of truth and rectitude. Since the formal opening of the institution — a period of thirteen years — 1,633 inmates have been committed to it. Of the number discharged, two-thirds have become useful and respectable members of society. With such a record, the House of Refuge for Western Pennsylvania is no longer an experiment; it has more than realized the expectations of its friends, and fully demonstrated the wise beneficence of its founders."

N. B. All the reports from this State are for 1866.



RHODE ISLAND.

The following extracts from the report of Mr. Talcott, the superintendent, will give a general idea of the condition of the institution and the results accomplished:

"We make to-day the seventeenth annual report. With each year we gather new lessons; for, though the work is substantially the same, each brings its own special labors and its marked peculiarities, all of which make up the sum total of results, estimated by the amount of good performed.

"In looking at these results through the glass of another year's experience, we can but be both cheered and encouraged. In no one year of our history have so many and favorable reports come to us of those for whom we had so earnestly prayed and toiled, sometimes almost against hope; and in no year have we been called to do so little for those still under our care, scattered in homes far and wide, now numbering, with those yet with us, more than 500.

"During these seventeen years 1,602 children and youth, who, with few exceptions, had been but a prey to the numberless surrounding elements of destruction, or themselves so perverse as to be unrestrained by other influences — whose every step had either been led or left to run in the way of evil — have been arrested, and, by commitment to this sheltering home, have been both cared and provided for, as also instructed; the 1,236 boys for an average term of nearly twenty months, and the 366 girls for one of about two years. Of these, more than 260 learned the alphabet here, nearly 900 were able to read simple words only, when committed, while but 425 could read well and write. A few whose stay with us was short, as also a very small number of limited mental capacity, were unable to read when they left us. But the large majority who have gone forth had secured an education enabling them to communicate their own ideas and gather those of others for themselves, as also to make ordinary business calculations, while some reached even a higher standard. In this department we have been most earnest, believing this to be their only opportunity for such instruction.

"Sabbath services, scripture lessons, singing, morning and evening devotions, the Tuesday and Saturday evening gatherings so long enjoyed, have lost none of their power and interest, and we, with constantly increasing faith, look to these as the great effective means for the prosecution of our work, and only as we find success in them can we hope to be greatly useful to our constantly changing charge.

"Our system of discipline has stood the test of another year, only giving us increased faith in its efficiency. While firm and decided, it is still mild and effective, making the standing of each and the

prospect of promotion or discharge dependent upon individual effort for improvement, as also upon correct deportment. Little promotion is looked for except in constant, persevering efforts to do right. These in time, we trust, will become both a principle and habit, prompting ever to higher and nobler effort.

"As a rule, moral influences, and the inducements springing from the grade system, have been sufficient to insure prompt and cheerful obedience, as also an industrious improvement of time and privileges enjoyed."

Vermont.

The State Reform School of Vermont is a new institution, organized in 1866, and, at the date of the report, had been in operation but little more than a year. The whole number of boys received since the opening is 48, and the average number during 1867 was twenty-seven. One hundred and thirty-three acres of land are connected with the institution, and the intention is to make it to a considerable extent a farm school.

The school is still in a formative state; but it seems to be under judicious management, and to be getting into good working order. The best results may be anticipated.

Wisconsin.

The State Reform School of Wisconsin receives children of both sexes. It was opened in 1860 on the congregate plan, but has been changed to the family system. Of this modification the managers use this language:

"The change of system from the congregated to the family has produced a manifest improvement. The new buildings answer admirably the purposes of their erection. The inmates can now be divided, arranged and classified with reference to their fitness for association together, thus ensuring success in their reformation when success is attainable. Never in the history of this institution has there appeared so much to encourage its friends. The whole appearance of the farm, garden, bulidings, and more particularly of the boys and girls, gives evidence of a better state of things. While once the inmates looked grave and sad, they now look cheerful and happy. They seem no longer to regard with suspicion or aversion those having them in charge, and do not look upon their residence in the school as an imprisonment for punisment, but rather as a desirable place for reformation and improvement."

The following interesting incident is related in the managers' report, which reflects equal credit on the officers and inmates:

"At the last agricultural fair at Waukesha, our whole 'school was dismissed' upon their parole to appear at the ringing of the bell; our treasurer giving them notice that he was security for their prompt appearance at roll-call. They dispersed themselves at pleasure over the grounds, without the slightest restraint, and it was perhaps a question whether they derived more pleasure from an examination of the articles on exhibition than they afforded the public by their good conduct. During the fair one of the boys saw a gentleman drop a $10 bill from his purse, and at once picked up the money, followed the loser, notified him of his loss, and restored the money, receiving $1 for his honesty. How many boys out of a Reform School could be found who would not have been as honest as this one?"

The discipline is thus described by the superintendent:

"The school is classified by grades, based entirely on conduct. All enter the school in the fifth grade; they are entitled to promotion on the first and middle of each month. When an inmate enters the first grade and holds his position with no discredit for three "grade times," he is promoted to the grade of Honor. Those in the grade of Honor are entitled to a separate table, certain additional privileges, and positions of trust when occasion offers.

"In the government of the school, we appeal first to the understanding and the conscience — 'is it right,' — secondly to self-interest, — 'is it not best,' — when these fail, privation of privilege, loss of play-time, or a solitary sitting or standing position is our next resort. In more obstinate cases the pupil is placed in the 6th grade, which is bread and water and loss of play for one day. When the case is still more aggravated, he is placed in the 7th grade, which is bread and water for food, and a standing position during school, work and play hours, until he comes to terms. A record is kept of all promotions and punishment."

The following Table presents the statistics of the Juvenile Reformatories of the United States for 1867, as far as they can be gathered from the reports of those institutions:

TABLE—exhibiting title, location, date of opening, extent in acres, cost of site and buildings, and principal statistics of Juvenile Reformatories in the United States for 1867.

STATE.	Title.	Location.	Opened.	No. of acres.	Cost of site and buildings.	WHOLE NUMBER OF INMATES SINCE OPENING.			AVERAGE NUMBER OF INMATES IN 1867.		
						Male.	Female.	Total.	Male.	Female.	Total.
California,	State Reform School,	Marysville,	1864	.....	.....	139	6	145	43	.....	43
Connecticut,	State Reform School,	West Meriden,	1854	160	$60,000	1,270	.....	1,270	266	.....	266
Illinois,	Chicago Reform School,	Chicago,	1855	27	71,000	1,058	13	1,071	231	.....	231
Indiana,	House of Refuge,	Plainfield,	1868	21	.....	.....	.....	.....	.....	.....	.....
Kentucky,	House of Refuge,	Louisville,	1865	67	100,000	210	.....	210	148	.....	148
Louisiana,	House of Refuge,	New Orleans,	1847	2½	25,000	.....	.....	.....	101	.....	101
Maine,	State Reform School,	Cape Elizabeth,	1853	160	82,000	1,047	.....	1,047	180	.....	180
Maryland,	House of Refuge,	Baltimore,	1856	50	200,000	1,523	254	1,777	342	21	363
Massachusetts,	State Reform School,	Westborough,	1848	275	133,700	3,529	.....	3,529	326	.....	326
	Nautical Reform School,	Harbors of Boston & New Bedford,	1859	Two ships.	65,000	1,496	.....	1,496	285	.....	285
	State Industrial School for Girls,	Lancaster,	1856	140	62,000	.....	716	716	.....	141	141
	House of Reformation,	Deer Island,	1826	.....	100,000	.....	.....	.....	171	28	199
Michigan,	State Reform School,	Lansing,	1856	134	70,000	832	8	840	265	.....	265
Missouri,	House of Refuge,	St. Louis,	1854	20	118,000	.....	.....	.....	148	31	179
New Hampshire,	State Reform School,	Manchester,	1856	.....	.....	375	93	468	70	17	87
New Jersey,	State Reform School,	Jamesburgh,	1867	490	61,587	26	.....	26	26	.....	26
New York,	House of Refuge,	Randall's Island,	1825	37	330,441	9,207	3,069	12,276	790	200	990
	Juvenile Asylum,	New York,	1853	23	171,500	10,756	2,186	12,942	513	105	618
	Western House of Refuge,	Rochester,	1849	42½	113,800	2,827	.....	2,827	479	.....	479
Ohio,	House of Refuge,	Cincinnati,	1850	9½	150,000	1,892	377	2,269	190	33	223
	State Reform School,	Lancaster,	1858	1,170	18,000	800	.....	800	246	.....	246
Pennsylvania,	House of Refuge* (white departm't),	Philadelphia,	1828	4	380,000	.....	.....	.....	352	87	439
	House of Refuge* (col'd departm't),	Philadelphia,	1850	2	103,000	.....	.....	.....	91	44	135
	Western House of Refuge,*	Pittsburgh,	1854	10	123,884	1,167	466	1,633	179	65	244
Rhode Island,	Providence Reform School,	Providence,	1850	2½	40,000	1,236	366	1,602	147	56	203
Vermont,	State Reform School,	Waterbury,	1866	133	.....	48	.....	48	27	.....	27
Wisconsin,	State Reform School,	Waukesha,	1860	180	60,000	406	66	472	141	14	155
Totals, averages and perentages,				3,160	$2,681,912	39,844	7,620	47,464	5,784	842	6,626

* For 1866.

STATISTICAL TABLE—(Continued.)

STATE.	Title.	Location.	Opened.	DIVISION OF TIME.				No. of officers and employes.	Aggregate salaries.	Total expenditures for 1867.	Cost per capita.
				Hours of labor.	Hours of study.	Hours at meals and recreation.	Hours of sleep.				
California,	State Reform School,	Marysville,	1864	....	....	....	....	5	$5,400	$10,675	$348
Connecticut,	State Reform School,	West Meriden,	1854	6	4½	4	9½	14	9,945	34,295	130
Illinois,	Chicago Reform School,	Chicago,	1855	6	4	4	10	....	7,345	27,980	130
Indiana,	House of Refuge,	Plainfield,	1868	....	....	....	....	....	....	....	....
Kentucky,	House of Refuge,	Louisville,	1865	6	4	....	....	18	6,878	19,315	130
Louisiana,	House of Refuge,	New Orleans,	1847	....	....	....	....	....	6,709	33,673	223
Maine,	State Reform School,	Cape Elizabeth,	1853	....	....	....	....	21	4,563	26,971	100
Maryland,	House of Refuge,	Baltimore,	1855	6	4	5	9	23	7,135	47,746	133
Massachusetts,	State Reform School,	Westborough,	1848	5	4	5½	9½	41	10,450	48,801	149
	Nautical Reform School,	Harbors of Boston and New Bedford,	1869	....	....	....	....	33	15,891	57,853	273
	State Industrial School for Girls,	Lancaster,	1856	6	8	5½	9½	20	7,883	25,551	161
Michigan,	House of Reformation,	Deer Island,	1936	5	5	5	9	....	....	....	....
Missouri,	State Reform School,	Lansing,	1856	6½	6	4	9½	21	10,946	66,406	309
New Hampshire,	House of Refuge,	St. Louis,	1864	6½	4	4	9½	26	9,796	40,639	227
New Jersey,	State Reform School,	Manchester,	1866	....	4½	....	....	18	8,349	14,271	164
	State Reform School,	Jamesburgh,	1867	5	4	5½	10½	6	....	8,923	151
New York,	House of Refuge,	Randall's Island,	1825	7–8	4½	8	9½	....	21,457	115,086	116
	Juvenile Asylum,	New York,	1853	7	8½	5	10	34	....	88,490	138
	Western House of Refuge,	Rochester,	1849	7½	8½	4	9	21	11,993	60,905	197
	House of Refuge,	Cincinnati,	1850	6½	8½	4½	9½	23	10,858	80,700	179
Ohio,	State Reform School,	Lancaster,	1857	5	5	....	....	25	10,007	40,507	165
	House of Refuge (white department),	Philadelphia,	1828	6½	5	8½	9½	18	6,695	54,906	125
Pennsylvania,	House of Refuge (colored department),	Philadelphia,	1850	6½	5	8½	9½	10	4,365	19,490	144
	Western House of Refuge,	Pittsburgh,	1864	7–7	4	4	9	29	10,947	56,705	288
Rhode Island,	Providence Reform School,	Providence,	1860	7	4	4	9½	19	7,177	81,323	133
Vermont,	State Reform School,	Waterbury,	1866	7	4	8½	9½	....	1,566	8,974	143
Wisconsin,	State Reform School,	Waukesha,	1860	4	5	5½	9½	....	6,407	24,266	166
Totals, averages and percentages,				6	4½	4½	9½	19¾	$201,904	$988,069	$153

STATISTICAL TABLE—(Continued.)

STATE.	Title.	Location.	Opened.	Employments of Inmates.	Aggregate earnings.	Earnings per capita.
California,	State Reform School,	Marysville,	1864	.....	.....	....
Connecticut,	State Reform School,	West Meriden,	1854	Cane-seating chairs, farming and tailoring,	$12,000	$45
Illinois,	Chicago Reform School,	Chicago,	1855	Shoe-making, basket-making, cane-seating, tailoring, farming and gardening,	13,332	57
Indiana,	House of Refuge,	Plainfield,	1868	.....	.....	....
Kentucky,	House of Refuge,	Louisville,	1865	Shoe-making, tailoring, knitting, farming,	2,830	14
Louisiana,	House of Refuge,	New Orleans,	1847	Shoe-making, tailoring and wood-cutting,	2,223	22
Maine,	State Reform School,	Cape Elizabeth,	1853	Brick and tile-making, shoe-making, chair-seating, tailoring, knitting and farming,	8,591	48
Maryland,	House of Refuge,	Baltimore,	1855	Tin-work, shoe-making, tailoring, match boxes, farming and gardening,	8,496	25
Massachusetts,	State Reform School,	Westborough,	1848	Chair-seating, shoe-making, tailoring, knitting, farming and gardening,	8,342	26
	Nautical Reform School,	Harbors of Boston & New Bedford,	1859	Practical seamanship,	.....	....
	State Industrial School for Girls,	Lancaster,	1856	Sewing, braiding, knitting, house-work,	304	2
	House of Refuge,	Deer Island,	1826	Farm work,	.....	....
Michigan,	State Reform School,	Lansing,	1856	Shoemaking, tailoring, farming, chair-seating, manufacturing chair seat frames,	.....	....
Missouri,	House of Refuge,	St. Louis,	1854	Shoe-making, tailoring, knitting, gardening,	.....	....
New Hampshire,	State Reform School,	Manchester,	1856	.....	6,553	75
New Jersey,	State Reform School,	Jamesburgh,	1867	.....	.....	....
New York,	House of Refuge,	Randall's Island,	1825	Ladies' shoes, wire work, hoop skirts, sewing-machine work, farming, gardening,	55,090	56
	Juvenile Asylum,	New York,	1853	Domestic work & sewing & tailoring for the institut'n,	.....	....
	Western House of Refuge,	Rochester,	1849	Making chairs, shoes and brushes,	24,654	51
Ohio,	House of Refuge,	Cincinnati,	1850	Shoe-making, tailoring, knitting,	6,021	27
	State Reform School,	Lancaster,	1857	Shoe-making, tailoring, farming, gardening, blacksmithing,	8,013	33
	House of Refuge (white departm't),	Philadelphia,	1828	Manufacture of brushes, shoes, chairs and match boxes, and blacksmithing,	16,455	37
Pennsylvania,	House of Refuge (col'd departm't),	Philadelphia,	1850	Manufacture of shoes, match boxes and umbrella wires, and tailoring,	5,536	41
	Western House of Refuge,	Pittsburgh,	1854	Shoe-making, whip manufacture, knitting, sewing,	1,244	5
Rhode Island,	Providence Reform School,	Providence,	1850	Manufacture of curtain springs, chair seats and backs, scarf springs, toys and netting,	13,920	68
Vermont,	State Reform School,	Waterbury,	1866	Chair-seating, and shoe-making,	1,230	46
Wisconsin,	State Reform School,	Waukesha,	1860	Shoe-making, tailoring, knitting, sewing, farming and gardening,	.....	....
Totals, averages and percentages,					$193,884	$40

STATISTICAL TABLE.—(*Continued.*)

STATE.	Title.	Limits of age within which admissible.	Average age when received.	Terms of sentence.	Average stay in institution.	Disposal of Inmates.
			Y. M. D.		Y. M.	
California,	State Reform School,	8 to 16 years,	12 0 0	Minority or specific term,	1	Discharged, returned to parents, placed with farmers or given their alternative sentence.
Connecticut,	State Reform School,	10 to 16 years,	13 2 0	Minority or specific term,	2 6	Indenture and discharge.
Illinois,	Chicago Reform School,	12 to 16 years,	13 1 19	Minority,	2 0	Indenture, discharge and ticket-of-leave.
Indiana,	House of Refuge,	.....	.....	Minority or specific term,	.....	.....
Kentucky,	House of Refuge,	6 to 18 years,	12 8 12	Minority,	.....	Indenture and discharge.
Louisiana,	House of Refuge,	6 to 16 years,	.....	.....	.....	Indenture and discharge.
Maine,	State Reform School,	7 to 16 years,	13 1 14	Minority or specific term,	2 4	Ind., disch. and probation.
Maryland,	House of Refuge,	9 to 16 years,	13 0 0	Minority, ...	1 8	Indenture and discharge.
Massachusetts,	State Reform School,	7 to 14 years,	11 1 27	Minority, ...	2 3	Indenture and discharge.
	Nautical Reform School,	12 to 18 years,	14 7 6	Minority, ...	1 2	Ind., disch. and probation.
	State Industrial School for Girls,	7 to 16 years,	13 1 12	Minority, ...	3 0	Ind., disch. and probation.
Michigan,	House of Refuge,	.....	.....	Minority or specific term,	1 4	Indenture and discharge.
Missouri,	State Reform School,	7 to 16 years,	13 8 0	Minority, ...	2 8	.....
New Hampshire,	House of Refuge,	8 to 20 years,	13 0 0	Minority, ...	1 3	Indenture and discharge.
New Jersey,	State Reform School,	6 to 16 years,	13 0 14	Minority or specific term,	2 2	.....
New York,	State Reform School,	.....	12 2 26	.....	.....	.....
	House of Refuge,	7 to 20 years,	13 8 20	Minority, ...	1 2	Indenture and discharge.
	Juvenile Asylum,	— to 14 years,	11 0 16	.....	.....	Indenture and discharge.
	Western House of Refuge,	6 to 16 years,	13 1 21	Minority, ...	.....	Indenture and discharge.
Ohio,	House of Refuge,	.....	12 2 27	Minority, ...	2 5	Indenture and discharge.
	State Reform School,	8 to 18 years,	13 4 15	.....	.....	Indenture and discharge.
	House of Refuge,	8 to 19 years,	13 6 0	Minority, ...	1 3	Indenture and discharge.
	(white department),	.....	15 0 0 (girls),	.....	.....	.....
Pennsylvania,	House of Refuge,	9 to 16 years,	13 0 0	Minority, ...	1 6	Indenture and discharge.
	(colored department),	.....	14 0 0 (girls),	.....	.....	.....
	Western House of Refuge,	9 to 20 years,	13 8 12	Minority, ...	2 2	Indenture and discharge.
	.....	.....	15 1 21 (girls),	.....	2 5 (girls)	.....
Rhode Island,	Providence Reform School,	7 to 16 years,	13 6 0	Minority or specific term,	1 7	Indenture and discharge.
Vermont,	State Reform School,	.....	13 0 0	Minority or specific term,	7	.....
Wisconsin,	State Reform School,	7 to 16 years,	13 7 0	Minority, ...	2 0	Disch. and ticket-of-leave.
Totals, averages and percentages,	.....	7½ to 17 y'rs.,	13 yrs. 8m. 9 da.	.....	1 yr. 10 m.	



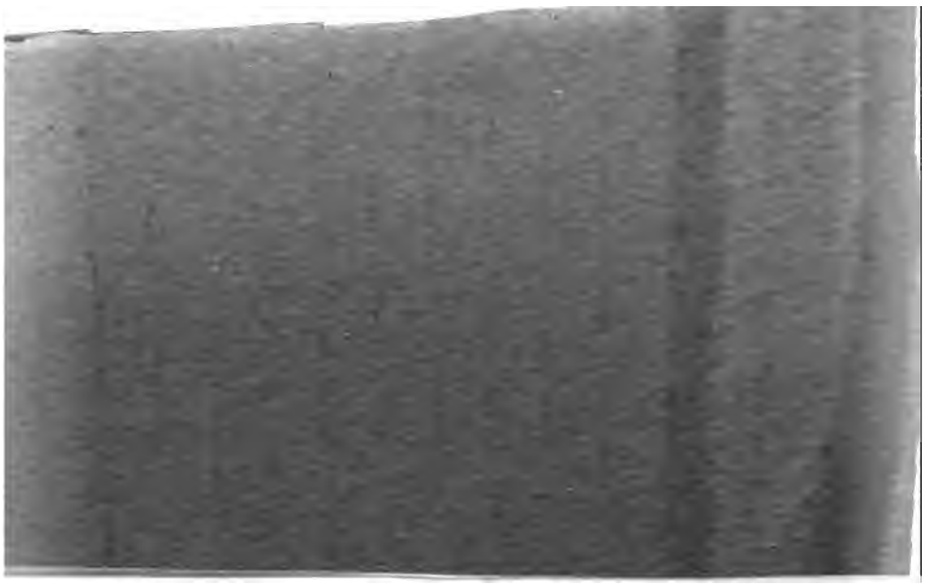
STATISTICAL TABLE—(Continued.)

STATE.	Title.	Branches Studied.	No. of volumes in library.	Reformations.	PERCENTAGE OF											
					Deaths since opening.	Deaths in 1867.	Escapes since opening.	Escapes in 1867.	Foreign born.	Foreign parentage.	Orphans.	Half-orphans.	Wholly illiterate.	Intemperate parents.	Fathers who had no regular occupation.
California,	State Reform School,	Common school branches,			....	....	....	.4	8	53	8	51	17	..	....
Connecticut,	State Reform School,	Com. sch. branches, algebra & philosophy,	1,500	80	1.9	0	5.7	1.5	10	48	8	41	2	41	....
Illinois,	Chicago Reform School,	Common school branches and music (vocal and instrumental),	500	85	.9	.4	....	0	17	83	9	43	21	54	....
Indiana,	House of Refuge,	....	.....	..	....	....	....	....	..	..	..	..	..	..	....
Kentucky,	House of Refuge,	Common school branches,	.....	..	.6	1.3	2.4	0	..	56	31	46	21	31	....
Louisiana,	House of Refuge,	Common school branches,	.....	..	....	....	....	....	20	..	36	50	35	..	....
Maine,	State Reform School,	Common school branches and vocal music,	800	75	....	....	.3	5.5	6	..	..	55	..	28	....
Maryland,	House of Refuge,	Common school branches, algebra, philosophy and music (vocal and instrumental),	600	75	....	.3	.8	.8	18	64	17	50	23	45	....
Massachusetts,	State Reform School,	Common school branches,	1,600	75	1.8	.6	....	.6	17	43	10	49	..	49	....
	Nautical Reform School,	Common school branches and navigation,	700	75	.9	.7	....	2.5	17	46	32	46	..	..	....
	State Industrial School for Girls,	Common school branches,	1,200	..	.5	0	.3	0	7	47	20	51	4	..	....
	House of Reformation,	Common school branches,	.....	75	.4	0	.1	0	..	..	..	..	..	..	....
Michigan,	State Reform School,	Common school branches,	.....	80	2.	.4	....	.4	39	59	17	44	..	44	....
Missouri,	House of Refuge,	Common school branches,	.....	75	....	0	....	10.6	13	69	10	50	..	50	....
New Hampshire,	State Reform School,	Common school branches and history,	.....	..	.7	0	....	.8	10	57	7	..	..	.	28
New Jersey,	State Reform School,	Common school branches,	.....	..	....	....	....	....	..	..	..	..	..	..	....
	House of Refuge,	Common school branches, vocal music,	.....	75	....	.3	....	.1	..	57	10	50	..	..	....
New York,	Juvenile Asylum,	Common school branches and history,	.....	..	.4	.3	.6	.8	26	76	8	..	44	..	....
	Western House of Refuge,	Com. school branches, algebra, geometry, natural philosophy & physical geography,	1,145	75	....	1.4	....	2.5	..	60	5	20	10	3	....
Ohio,	House of Refuge,	Common school branches,	.....	..	....	1.3	....	0	15	70	25	33	..	..	....
	State Reform School,	Common school branches,	.....	70	....	.8	....	2.8	6	68	13	49	..	..	....
	House of Refuge (white dep't),	Common school branches,	2,500	70	....	.5	....	0	10	60	15	40	28	..	....
Pennsylvania,	House of Refuge (col'd dep't),	Common school branches,	1,300	70	....	1.5	....	0	..	..	10	90	49	..	....
	Western House of Refuge,	Common school branches, algebra & music,	.....	70	....	1.6	....	.8	14	71	16	50	8	..	....
Rhode Island,	Providence Reform School,	Common school branches,	1,300	..	.4	.5	1.1	0	18	56	..	..	26	..	....
Vermont,	State Reform School,	Common school branches,	.....	..	0	0	....	5.4	..	44	.8	37	15	65	23
Wisconsin,	State Reform School,	Common school branches,	400	85	....	0	....	10.4	12	72	18	30	..	32	....
Totals, averages and percentages,			.....	76	.7	.5	1.8	1.7	15	58	15	47	21	40	25

STATE.	Title.	Idle before commitment.	Profane.	Not regular at reformatory school.	Not regular at church.	Slept in barns, sheds, &c.	Used intoxicating drinks.	Used tobacco.	Truants.	Visited theatres.	Previously arrested.	Had step-parents.	Parents separated.	Parents quarreled.	Parents irreligious.	Parents had been in prison.	Relatives had been in prison.
California,	State Reform School,	67	78	40	40	33	15	43	64	80	33	11	11	33	70	10	20
Connecticut,	State Reform School,							54				17					
Illinois,	Chicago Reform School,											24		11			19
Indiana,	House of Refuge,											20					30
Kentucky,	House of Refuge,											20					
Louisiana,	House of Refuge,											40					
Maine,	State Reform School,																
Maryland,	House of Refuge,																
Massachusetts,	State Reform School,	68	64	70	70	38	17	36	43							19	
	Reform School for Girls,																
	State Industrial School,																
	House of Reformation,																
Michigan,	State Reform School,																
Missouri,	House of Refuge,	64	68	55	61	43	34	37	26		43	10	9				10
New Hampshire,	State Reform School,								45			88	9				
New Jersey,	State Reform School,								57				5				
	House of Refuge,																
New York,	Juvenile Asylum,		61					16									
	Western House of Refuge,																
Ohio,	House of Refuge,		85				8	41					7				
	State Reform School,																
Pennsylvania,	House of Refuge (white dep't),																
	House of Refuge (col'd dep't),																
	Western House of Refuge,																
Rhode Island,	State Reform School,		90	80		35	31	43									
Vermont,	State Reform School,																
Wisconsin,	State Reform School,	95															
	Totals, averages and percentages,	65	70	68	64	52	30	36	46	80	33	10	7	10	70	10	20

On an inspection of the foregoing table, it is obvious to remark that there is a great want of uniformity in making out the statistics of the different institutions. It is true that there are certain items of information embodied in the reports of all; but there are other items, of scarcely less interest, which are omitted from the greater part. In particular, most of the reports are deficient in statistics relating to the moral habits of the inmates previous to their committal, and also to those of their parents — points on which it is desirable, and even important, to have as full and trustworthy information as can be obtained.

The next most salient point brought out in these statistics is the magnitude of this reformatory work, and the hopeful and cheering character of its results. Let us look at a few of the particulars. Nineteen States and twenty-seven different institutions are included in this exhibit. The aggregate amount of land belonging to twenty-four of these institutions is 3,160 acres, being an average of 131⅔ acres to each. The total cost of the buildings, sites and farms, appropriated to this work, adding half a million for the six houses of which the cost is not given, is $2,852,765. The average number of inmates in 1867 was 6,626, of whom 5,784 were boys and 842 girls; and the aggregate number set down in the table as received into all since their opening was 47,464, of whom 39,844 were boys, and 7,620 girls. But it is to be noted that the graduates of five large institutions, three of which are among the oldest in the country, are not included in this number. These would increase the aggregate by at least 6,000, making it 53,464. Full three-fourths of these neglected and criminal children — that is, over 40,000 — are reported as permanently reformed and leading upright and respectable lives. It may be safely assumed that, but for the curative influence of these reformatories, nine out of every ten of these boys and girls would have gone to swell the torrent of criminality that is sweeping over the land, whereas now they give breadth and volume to the stream of honest industry that is subduing the wilderness and making it bud and blossom as the rose. No figures of arithmetic or figures of rhetoric can adequately set forth the good which has been accomplished through this instrumentality. There can be no wiser economy than the expenditure that has been made to this end; no cheaper defense of life and property, of the public peace and order, than that which has been devised by the friends and promoters of juvenile reform. And yet, after all, what are material benefits, and what the cost incurred in securing them, when placed in the scale against the higher interest of humanity, or against the duty resting on society to multiply the agencies for moral advancement and the



means of preventing the increase of ignorance, brutality, pauperism and crime?

There is another aspect of the case, presented in this tabular statement, which possesses a melancholy and harrowing interest; I refer to the condition and surroundings of these children previous to their commitment. Nearly two-thirds of them orphans by the loss of one or both parents, and more than half of the rest worse than orphans through the intemperance, irreligion and criminality of their parents; one-fourth of them wholly illiterate, and more than a moiety of the remainder without any available knowledge of the arts of reading and writing; two-thirds of them living in idleness; three-fourths of them profane, and a still greater proportion untruthful; two-thirds of them neglecters of both Sabbath-school and church; one-fourth of them addicted to the use of intoxicating liquors, and more than one-third to that of tobacco; one-half of them truants, a third frequenters of theaters, and another third sleeping in barns, sheds, covered wagons, etc.; nearly one-half having parents or relatives who had been in prison, and one-third having been previously arrested themselves; a considerable proportion having step-parents, or parents who had separated or were in the habit of quarreling with each other; a full fourth absolutely homeless; and almost all, the children of neglect, of poverty, of ignorance, of the street and the dock, in a word, of evil surroundings and evil influences, whose name is legion. What a terrible catalogue of exposures! How few and faint the chances of victory in such a battle! How almost certain the issue of disaster, defeat and ruin! Multitudes of these homeless, outcast children come to the reformatories with the impression burnt into their souls, "Nobody cares for me!" No language is more common from their lips on their reception than such expressions as these: "*I* have no friends; I *never* had any." A task of greatest difficulty it often is, to correct this impression, which, so long as it exists, is fatal to all progress. The effect is said to be sometimes wonderful, when the conviction is brought home to one of these children, "There is one who loves me and cares for my welfare." It is the first violet of spring, whose beauty and fragrance are a prophecy of the bloom and fruitage of summer and autumn.

VII. REFORMATORY WORK IN ENGLAND.

By Alfred Aspland, F. R. C. S., Corresponding Member of the Prison Association.

A complete record of reformatory work in England is far too wide a subject for the pages of your Transactions; a general summary is all that I propose to offer you.

Official documents and missionary reports indicate only the results of governmental action and missionary effort; beyond and outside these, are the unrecorded and loving efforts of many workers, men and women, of saintly lives and unobtrusive charity, who, without one selfish thought or desire for the applause of the world, forego the pleasures of youth and the comforts of age, to minister to the spiritual wants and physical necessities of despised, degraded and sin-stained fellow creatures. No human record may ever be made of their work, but no act of duty has missed its record elsewhere.

Now and then a Florence Nightingale or a Mary Carpenter have to proclaim from the housetops a crusade against sin and misery; but this is a sacrifice, not to vanity, all to duty. Disciples are attracted and we have as the result such records as this — "Una and the Lion," by Miss Nightingale.

"One woman has died — a woman, attractive and rich, young and witty; yet a veiled and silent woman, distinguished by no genius, but the divine Genius — working hard to train herself in order to train others to walk in the footsteps of Him who went about doing good. She died, as she had lived, at her post, in one of the largest workhouse infirmaries in this kingdom — the first in which trained nursing has been introduced. I do not give her name; were she alive, she would beg me not; she preferred being unknown to all but God; she did not let her right hand know what her left hand did — I will therefore call her Una, if you please; here is Una in real flesh and blood — Una and her paupers, far more untamable than lions."

The direct annual cost of crime in England and Wales is more than £5,000,000; the indirect cost must necessarily be a larger sum than this. Viewed simply as an economic question, involving a national drain of more than ten millions, one might expect that the study of the question of juvenile delinquency and reformation would be close and constant. We are on the eve of a general election, and each candidate is urged to support a reduction of national expenditure. He generally promises to do so, and points to the army and navy as the field of operations. Not a word is said, not a hint is

given, of the enormous possible saving from reduced crime. Now and then a teetotaller asks if a permissive bill, putting restrictions on the sale of liquors, will be supported. The general answer is: "I allow the evils of drunkenness, but the country is not interested in the question, and no act of parliament will be of any avail until the people feel its necessity." Education is discussed, but it excites little enthusiasm, whilst a whisper about universal suffrage or a Trades Union bill creates a wild excitement. No wonder that working men act thus, when magistrates as a class display ignorance and prejudice in dealing with the subject of crime and criminals.

At Quarter Sessions, reformatory work is voted a bore, and its advocates are held to be weak-minded, sentimental enthusiasts. After several abortive efforts, I succeeded in obtaining a standing reformatory committee for the county of Lancaster. As the chairman of this committee, I was urging the necessity of further accommodation for juvenile offenders, and I was met with the assertion that "it was preposterous to provide genteel boarding schools for thieves and the children of thieves, and to tax honest people to educate rascals; the best reformatory agencies were the gaol and the lash." The men who say this are at the present moment allowing 40,000 children in the city of Manchester to remain absolutely uneducated, young Arabs, who, wronged in their infancy, practise their revenge on society in their maturity. A training school is their natural right, and if it could be extended for education of magistrates, the community would reap the benefit.

State Reformatory Action.

In your last Report, you have a full account of the Irish system and of the success of Sir Waller Crofton's scheme. In the English prisons, an amiable but incompetent director, Sir Joshua Jebb, did infinite mischief. This you have also heard of. Since 1864, great reforms have been achieved, and a partial adoption of the Irish system is recorded; but it is a significant fact that the originator of the Irish system, the ablest prison administrator we have ever had, is only temporarily employed, and not in connexion with the convict prisons.

Vibrations of public feeling between pity and vengeance present great difficulties in reasonable legislation. Some years ago, a panic seized the public mind, when garrotting became a common crime, and Parliament, ever sensitive to popular cries, passed the flogging act, certainly a backward step in legislation. The thinking men of England desire no vengeance on these criminals,—have no wish to restore judicial murders, or judicial tortures,—no desire to invoke

the shade of Marsilius, bringing some new Florentine Vigil, or to enact in this country the horrors of Brest and Toulon; but they do demand the primary guarantee of all civilized Governments,—protection for life and property.

Many salutary reforms have been carried out in our criminal code; but notwithstanding our reformed prison discipline, we have to notice the following startling figures:

Number of Re-committals.

	1857.	1861.	1868.
Per cent of all committed, ...	29.7	30	38.5

The number of recommittals in Ireland, under Sir W. Crofton's system, averages 12.44 per cent.

During the last two years we have turned 2,927 convicts loose with tickets of leave. They are expected to declare their place of destination, to report themselves to the police, and to repeat this monthly. If they omit this ceremony, they are liable to be apprehended and sent to serve out their allotted period. The Home Office arrangements are so defective and the police administration so imperfect, that not a few fail to report themselves at all. No reports of absconding license men are published by the government, and chief constables may refuse, as is the case in Manchester, to furnish information. In Liverpool, we know that in 1867, 16 per cent of those reporting themselves and staying in the town, again relapsed into crime. If this return to crime occurs in the domain of Major Greig, the chief constable of Liverpool, the most sagacious and vigilant officer in the kingdom, we may judge what the results are likely to be under the management of dull routine men, such as chief constables usually are.

Reformatory Agencies for License-holders and other Discharged Prisoners.

The reformatory agencies at work for license-holders and prisoners discharged on completion of their sentences are,—four Aid Societies in London and nineteen in the provinces, besides various refuges for the women. Two central societies are in existence, one in London, the Reformatory and Refuge Union, and one in Liverpool, the Juvenile Reformatory Association.

Reformatory and Refuge Union.

The London Union was established in 1856 and has for its objects: 1. Collecting and diffusing information as to the operations and results of all such institutions; affording a means of communication

between their promoters, and of concerted action with reference to the government, the legislature and the public.

2. Facilitating the establishment of new institutions, the selection and training of efficient masters, matrons and assistants, the procurement of books and school materials for educational or industrial work, and the ultimate provision for inmates by emigration or situations of permanent employment.

3. Promoting the religious, intellectual and industrial education of the inmates of such institutions, and encouraging those who conduct them in every effort to elevate and reclaim the neglected and criminal class, by educating them in the fear of God and the knowledge of the Holy Scriptures.

The means employed to carry out the above objects are the publication of a quarterly journal, watching the bills passing through Parliament, encouraging industrial exhibitions, grants of money to individual institutions, arranging conferences of managers and matrons, employing missionary women in rescuing the fallen of their own sex, and in distributing tracts.

Liverpool Juvenile Reformatory Association.

The Liverpool Reformatory Association superintends the operations of the three Protestant reformatories, the Akbar Ship Reformatory, and the Girls and the Farm Schools. These will be specially noticed, after the Aid Societies have been described.

The Charing Cross Discharged Prisoners' Aid Society.

This society was established in 1857 to assist liberated convicts. The directors of the convict prisons thus speak of it:

"Too much praise cannot be given to the good work of this philanthropic institution. Since the society commenced its operations, just ten years ago, it has assisted 5,257 discharged prisoners, of whom 4,678 were men, and 579 women."

During the past year 293 prisoners' cases have been attended to, 4 have been re-convicted and 20 have absconded. The results are 269 doing well, and 8.1 per cent relapsed.

INCOME, 1868.

Donations,	£1,721 17 6
Dividends,	18 1 6
Prisoners' gratuities,	2,371 15 8
	£4,111 14 8

EXPENDITURES.

Working expenses,	£681 4 1
Paid prisoners' account,	2,343 1 8
	£3,029 5 9



Middlesex House of Correction Aid Society.

This society was established in 1854. In four years 1,388 prisoners have been sent to the society, and only 85 have relapsed, but as 27 of these declined to accept the proffered aid, only 58 of those assisted were again convicted—4.2 per cent. To comprehend fully the value of this work, it should be noted that 27 per cent of those aided had been previously convicted.

INCOME, 1868.		EXPENDITURE.	
Donations from individuals,..	£52 17 0	Working expenses,.....	£158 0 0
Donations from societies,.....	298 4 6	Paid on prisoners' account,....	540 0 0
Grants by visiting justices,...	346 14 0		£698 0 0
Donation to aid attempted suicides,.....	30 00 0		
	£727 15 6		

The committee state that "it has never yet been found necessary to turn a man adrift because no work could be found for him." They took charge during the year of 35 cases of attempted suicide, with the most satisfactory results in 33 of them. Two were lost sight of.

Surrey Society, Handsworth House of Correction.

Established in 1824. Number assisted during the year 1867—469.

INCOME, 1867.		EXPENDITURE.	
Donations, etc., ...	£297 19 0	Working expenses,.....	£91 17 0
Visiting justices,.....	294 9 7	Paid to prisoners, ...	360 00 6
	£592 8 7		£451 17 6

Middlesex Society.

This society was established in 1856 to aid women and children on discharge from the county prisons and reformatories.

Assisted in 1868—173 cases.

119 women sent to refuges or service.

54 boys from reformatories, 47 of whom were sent to sea or helped to emigrate; very few failures.

INCOME, 1868.		EXPENDITURE.	
Donations and legacies,.....	£614 17 0	Working expenses,.....	£9 16 5
		Paid for prisoners, ...	200 00 0
			£209 16 5

Provincial Aid Societies.

Birmingham Discharged Prisoners' Aid Society.

This was established in 1856, to assist prisoners discharged from the Birmingham gaol, at the suggestion of the then recorder, Mr. Commissioner Hill. It is now worked under the auspices of the chaplain, the Rev. H. L. Elliot, and it must be considered one of the most complete and influential societies in the kingdom. The annual report furnishes a mass of valuable and instructive information. Mr. Elliot has endeavored to secure uniformity in the statistical tables in the different societies, and to some extent he has succeeded; but it must be remarked with regret that not a few of them publish no reports. The Birmingham society looks after prisoners discharged to Birmingham from all parts of the kingdom, and undertakes the supervision of discharged convicts, whose place of destination is not more than seven miles from the town. During the past year 2,800 prisoners were discharged from the Birmingham prison, and 235, or 8.39 per cent, were aided. Of these, 83 had been previously convicted, and 152 appeared for the first time. Out of 88 returned convicts reported to Birmingham, 34 have been assisted. Of these, 25 had been previously convicted and 9 had not. From other prisons, 2 had been received, making a total of 271. Work has been found in 54 branches of industry, and the nature of the aid afforded was as follows: work, lodging, food, clothing, tools, materials for work, assistance to remove and to emigrate. The society has no Home. The average expenditure on Birmingham prisoners is 14 shillings each. Of those aided, 236 were males and 35 females.

The following tables show the subsequent conduct of the aided prisoners:

Table giving a general view of the conduct of the prisoners aided.

Number of prisoners discharged from	Doing well.	Left the district or lost sight of.	Going on badly or re-convicted.	Recommitted.	Total.
Convict prisons,	30	12	3	1	46
Birmingham prison,	96	32	5	2	135
Other prisons,	1		1		2
Total,	175	44	29	3	271

Table showing the conduct of those who had and who had not been previously convicted.

Class.	Doing well.	Lost sight of.	Going on badly or re-convicted.	Recommitted to prison.	Total.
Previously convicted,	49	23	12	1	85
Not previously convicted,	126	21	17	2	186
Total,	175	44	29	3	271

Table showing the number of prisoners to whom the attention of the Society was directed during the past year.

Number receiving aid.	Not found by address given.	Did not attend to instructions.	Not considered proper objects for relief.	Obtained work for themselves.	Total.
271	42	24	56	17	410

Table giving the finances of the society for 1868.

INCOME.		EXPENDITURE.	
Donations and subscriptions,.	£272 5 9	Working expenses,.....	£205 19 2
Convicts gratuities,.....	179 19 11	Paid on ordinary prisoners' account and on convicts,..	176 7 2
Visiting justices Birmingham prison, ...	128 9 0	Visiting justices' account,...	123 12 4
	£580 14 8	P. A. society's account, ...	40 11 11
			£546 10 7

Manchester and Salford Discharged Prisoners' Aid Society.

This society commenced its operations January, 1866. Lord Stanley, M. P., presided at the first meeting, and became the permanent president. Objects—first, to assist persons discharged from all prisons, who belong to Manchester, either by birth or residence; second, to assist reformatory inmates on discharge. Manchester naturally receives a large number of discharged convicts, having tickets of leave; and the city having at the same time a very inefficient police force, the presence of these men is a source of constant danger. Hitherto they have received large gratuities, amounting not unfrequently to £15. In the year 1862, the Home Secretary issued an order limiting the gratuity to £3, probably the most unwise order that was ever issued, as the inevitable result is, the retention of a highly dangerous class entirely in this country. Many of them, under the old regulations, emigrated to our colonies, and found free scope for energy and enterprize in an honest way. The limitation of their gratuity forbids this; and the ordinary course with limited means is—a few days of riot, and then a return to crime. Without these men, Manchester has a fixed criminal population of nearly three thousand persons, and has so little restraining power in the police that out of every 100 crimes committed, only 5 are punished and 95 escape detection; whereas in the whole of England and Wales, 29 persons are punished out of every 100 committing crimes, and only 71 escape detection. With these facts and figures in view, the Discharged Prisoners' Aid Society had a very distinct mission, and the result will show that its labors have not been in vain. It has had unusual difficulties to contend with. The corporation and police, to escape the natural reproaches of the rate-payers for inefficiency in

dealing with crime, made a public declaration that the prisoners' aid society attracted so many rogues to the city that the police had unusual difficulties to contend with.

I exposed the absurdity of this statement, and the corporation appointed a committee to investigate and report on the matter, and the upshot was, that they retired from the controversy thoroughly beaten. This fact was established, — that in 1867 more than 40 ticket-of leave men were reported to the society, 22 were in regular work, one had relapsed to crime, and all the rest had been passed on to distant places. There was a curious fact in reference to the one relapse. My agent ascertained from a comrade of the defaulter that he meditated a burglary. The police was immediately informed, the house was pointed out, the time named, and a description of the man given. In spite of the warning, the man accomplished his felony, was afterward apprehended at his own home, the spoil was found in his possession, and he is now in penal servitude.

The report of 1867 shows that 165 persons had been aided; 116 had been introduced to employers in 42 branches of industry. The society has no Home.

The following tables indicate the results.

They speak for themselves. Of 165 assisted, less than 5 per cent were re-committed, something like a tenth of the ordinary number of re-committals. The county has had to prosecute and maintain in gaol 8 instead of 80 persons, and when a calculation is made of the cost to the community by their depredations, by the cost of sessions or assizes procedure, and prison keep, — if this is compared with the expense of working our society, it is easy to see how advantageous it is to the community on mere economic grounds, apart from the question of Christian ethics.

TABLE 1.

Showing number of discharged prisoners to whom the attention of the Society was directed from commencement up to October 31st, 1867.

Number who received aid.	Not found at address given.	Did not attend to instructions given.	Not considered proper persons for relief.	Total.
165	32	4	28	229

TABLE 2.

Showing number of discharged prisoners from Manchester, Salford and other towns, and returned convicts who received aid.

Manchester.	Salford.	Other towns.	Returned convicts.	Total.
72	88	8	82	165

TABLE 3.

Showing the number of persons who were known to have been previously committed, and number of their previous commitments.

PREVIOUSLY COMMITTED.							Not previously committed.	Total number assisted.
Once.	Twice.	Three times.	Four times.	Five times.	Six times and above	Total.		
30	30	20	2	7	7	96	69	165

TABLE 4.

Showing the nature of aid supplied by the Society from commencement up to October 31st, 1868.

	Number for whom work has been found.	Obtained work for themselves.	Number placed in lodgings.	Number supplied with food.	Number supplied with clothing.	Number supplied with tools.	Number supplied with materials for work or sale.	Number sent home to friends, etc.	Number assisted to emigrate.
Persons discharged from convict prisons,	47	.....	50	50	31	5	8	3	5
And from Manchester and other towns,	44	53	54	79	24	2	2	20	2
Total,	91	53	104	129	55	7	10	23	7

TABLE 5.

Showing amount expended on discharged prisoners from commencement of Society up to October 31st, 1867.

Board and lodgings.	Clothing.	Stock and materials.	Temporary relief.	Prisoners' traveling expenses.	Emigration expenses.	Money payments.	Total.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
99 15 8	34 18 11	30 13 3	3 18 8	3 11 0	11 15 0	42 6 2	226 18 9

TABLE 6.

Showing term of imprisonment of discharged prisoners aided by Society.

	Under one month.	1 month and under three months.	3 months and under six months.	6 months and under twelve months.	12 months and under two years.	Two years and above.	Discharged convicts.	Total.
Discharged on trial,	9	20	39	25	18	2	52	165

TABLE 7.

Showing the sex of discharged prisoners who received aid, together with subsequent conduct of both classes, so far as can be ascertained.

	Doing well.	Left district.	Going on badly.	Recommitted.	Total.
Males,	83	16	5	5	109
Females,	33	14	6	3	56
Total,	116	30	11	8	165

TABLE 8.

Showing the subsequent conduct, so far as can be ascertained, of discharged priso and convicts, respectively, who have been aided by the Society.

	Doing well.	Left district.	Going on badly, etc.	Recommitted.
Number discharged from convict prisons,	41	10	.....	1
And from Manchester and other towns,	75	20	11	7
Total,	116	30	11	8

TABLE 9.

Showing the subsequent conduct of those who had and those who had not been previou convicted.

CLASS.	Doing well.	Left district.	Going on badly or doubtf'y.	Recommitted.
Previously convicted,	59	20	11	6
Not previously convicted,	57	10	.....	2
Total,	116	30	11	8

TABLE 10.

Showing the different kinds of work procured for 116 *discharged prisoners.*

OCCUPATION.	No.	OCCUPATION.	N
Boatman,	1	Hawkers,	1
Boiler makers,	2	Grocer,	
Brass dresser,	1	Laborers,	1
Butcher,	1	Mechanic,	
Beerhousekeeper,	1	Ostler,	
Commercial travelers,	2	Packer,	
Clerks,	4	Pattern maker,	
Carter,	1	Plumber,	
Charwomen,	3	Piecer,	
Cooper,	1	Pawnbroker,	
Collier,	1	Painters,	1
Druggist,	1	Railway porter,	1
Dress makers,	5	Shoemakers,	1
Dyers,	4	Stokers,	1
Domestic service,	7	Stonemason,	1
Drapers,	2	Shopman,	1
Engine drivers,	2	Silk spinner,	1
Factory,	13	Wood turners,	2
Fustian cutters,	3	Watchman,	1
File cutter,	1	Waiters,	2
Joiners,	3	Warehousemen,	6
Total,			116

TABLE 11.

Showing receipts and expenditures for 1867.

INCOME.		EXPENDITURE.	
Subscriptions and donations, ..	£191 9 0	Working expenses,.....	£107 9 10
Gratuities of convicts and allowances by visiting justices,...	172 0 0	Payments to convicts and prisoners discharged from the local prisons,.....	226 18 9
	£363 9 0		£334 8 7

Leeds Prisoners' Aid Society.

This was established in 1864. During the year 1867, 100 cases were undertaken by the society.

	MALES.	FEMALES.
From Leeds gaol,.....	38	49
" other gaols, ...	2	

NUMBER OF PERSONS DISCHARGED FROM.	Doing well.	Left district.	Doubtfully and badly.	Reconvicted.	Total.
Convict prisons,.....	8	.....	2	1	11
Leeds prison,.....	17	15	40	15	87
Other prisons,.....	.....	1	1	.....	2
Totals, ...	25	16	43	16	100

Besides these, 50 reformatory boys have been aided, with the following results:

REFORMATORY.	Doing well.	Left.	Doubtfully or badly.	Reconvicted.	Total.
Boys,.....	24	1	12	13	50

INCOME, 1867.		EXPENDITURE.	
Subscriptions,.....	£88 11 6	Working expenses,.....	£41 2 1
Convicts' gratuities, ...	24 12 7	Paid on prisoners' account,....	56 17 5
Allowances by justices, ...	12 9 7		£97 19 6
	£125 13 8		

Staffordshire is fortunate in its gaol chaplain, the Rev. W. Vincent, through whose benevolence and untiring energy two Prisoners' Aid Societies have been established and are successfully worked.

Results.

NUMBER OF PRISONERS DISCHARGED FROM	Doing well.	Lost sight of.	Badly.	Recommitted.
Convict gaols,	7	4	1	1
Birmingham gaol,	.....	1	...	...

INCOME.		EXPENDITURE.	
Subscriptions,	£469 7 0	Working expenses,	£73 1
Donations from justices,	17 10 0	Paid for prisoners,	14
	£486 17 0		£88

Kent Discharged Prisoners' Aid Society.

Established in 1862, to place girls and women in refuges, boys homes or on board ship, and to place men at work and to assist th to emigrate. During 1867 the various classes, to the number of 1 were aided. Results:

Doing well	138	Found work	
Doing badly	8	Sent to sea	
Reconvicted	6	Emigrated	
		Sent into the country	
		Women sent to refuges	
		Restored to friends	
		Relieved with money	

INCOME, 1867.		EXPENDITURE.	
Subscriptions	£113 2 6	Working expenses	£17 9
Payments by friends of prisoners	19 5 0	Paid on account of prisoners	310 13
Grants from prison funds	159 0 0		£328 2
	£391 7 6		

The Industrial Home of Wakefield Prison.

Established in 1856, by the governor, Mr. Shepherd. Althou connected with the prison, it was, in truth, a private factory for ma belonging to the governor, who paid the charges and received t profits.

Since the appointment of the present governor, Capt. Armyta it has, by order of the justices, become a prison institution.

The workshop is outside, but joins the prison.

The men have fixed hours for labor, a general mess, and lodgi in the prison. The theory is, that work should be found to preve the discharged from relapsing to crime, but not sufficiently remun

ative to tempt them to stay long. During the year 1867, 146 men were employed; 120 left for the following reasons:

Discharged for misconduct	9	Other reasons	23
Dissatisfied	16		—
Left without notice	37		120
Left for better work	35	Remaining in the Home	26

Dr.	General Account.				Cr.		
Manager and Superintendent's wages	£83	4	0	Mats sold	£3,544	10	9
Rent, &c	96	4	10	Cash received for labor	30	18	4
Workmen's wages, &c	893	15	3	Waste sold	3	17	6
Material purchased	2,258	12	0	Bank interest	2	10	8
Profit	282	14	9	Stock in hand	32	13	7
	£3,614	10	10		£3,614	10	10

A bath is provided for the men; newspapers and periodicals are bought for the reading-room, where smoking is allowed.

Besides the above, there are aid societies attached to the following prisons, but as they do not publish reports, no specific information can be given of them: Bath Prison, Cardiff Prison, Durham Prison, Gloucester Prison, Glasgow Prison, Worcester County Prison and Worcester Borough Prison. There are also the two following aid societies not attached to prisons: Manchester Industrial Institute and Park Row (Bristol) Asylum.

Refuges for Fallen Women.

In London there are 19 organized establishments of rescue, providing accommodations for 1,155 inmates; in the provinces there are 34 establishments, with accommodations for 1,116 inmates; in Scotland and Ireland, 10 establishments, with accommodations for 386 inmates. Total, 63 establishments, with accommodations for 2,657 inmates. Besides those provided with homes, a large number are restored to their friends; and although it is impossible to give exact returns of reformation, most gratifying proofs are given of great success in this noble work.

London Female Mission.

This Mission has, since its establishment in 1858, aided 2,300 poor creatures, and during the past year has extended its operations to 450. They employ eight missionary women, who, at comparatively small salaries, pursue their labors with noble zeal. They find that the chief causes of prostitution are vanity, love of dress, idleness, the enticements of their own sex, and love of drink; seduction is

NUMBER OF PRI

Convict gaols,
Birmingham gaol,

Subscriptions,
Donations from

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Doing well
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ion which can scarcely be looked upon as less than miracu-
ed to verify the statements of these girls, and proved their
respectability. One of them was immediately restored to
in England, and the other is again in respectable service in
under the eye of her mother.

K. was a young servant at a lodging house, in one of the
leading from the Strand. She was seduced by a lodger, and
ent upon the streets. She applied to me for help, and I
her in a Home. While there, she manifested the most docile,
al and amiable disposition. At the end of six months she was
service. Here she manifested a conscientious desire to fulfill
ty, and an unselfishness and sympathizing kindness which
already brought their own reward. Her mistress has just died,
queated to her, by will, as an expression of her regard and
ude, the sum of £10, with all her wearing apparel, and some
s of furniture. The girl is so much respected by the members
deceased mistress' family, that they desire to retain her, and
ed her services in another capacity. She now wishes to be-
an annual subscriber to the Mission Fund, and thus one who
herself been rescued will, we may hope, be permitted to aid
ectly in the rescue of many others. This case is one eminently
lated to instill hope and courage into the minds of those labor-
in a field which is, at times, liable to be looked upon as alto-
her arid and sterile. It is one also equally calculated to encour-
those objects of our care who may be disposed to feel cast down,
think the past utterly irretrievable."

INCOME, 1868.				EXPENDITURE.			
				Missionaries,	£342	16	0
				General expenses,	105	1	3
				Expended on penitents,	1,143	11	0
nations,	£1,591	8	3		£1,591	8	3

Manchester Asylum.

The Manchester Asylum has received, during the past year, 206 inmates: 55 behaved unsatisfactorily, 5 escaping with their new clothing (4 of these robbed the institution).

The institution is so admirably managed that it is nearly self-supporting.

The receipts for washing and sewing alone amounted to £2,119 12s. 8d.

The annual subscriptions amounted to £234 18s.

The total expenditure, £2,786 19s. 7d.

Reformatory Schools of Great Britain.

We learn from the inspector's report that there are at present 64 schools, viz:

ENGLAND.		SCOTLAND.	
For Protestant boys,.....	30	For Protestant boys,.....	7
" " girls,.....	12	" " girls,.....	5
" Catholic boys,.....	4	" Catholic boys,.....	1
" " girls,.....	2	" " girls,.....	1
" Protestant and Catholic boys,....	2		14
	50		

These schools, built and furnished by private persons, with or without grants from county funds, are inspected by a government officer, and, if the construction and arrangements are approved of, a certificate is granted, and it may open its door to inmates sentenced by criminal courts, or by magistrates in petty sessions. Some receive voluntary inmates, at the request of parents, who pay a weekly sum for their maintenance. The sentenced children are paid for by the State. The Home Secretary sanctions a weekly payment of 7s. for those below 16 years of age, and of 4s. for those above that age. The average payment will amount to 5s. 6d., but as that sum rarely pays the charges, it has to be supplemented by private subscriptions, or by a grant from the county funds.

To facilitate arrangements, the justices in quarter sessions sometimes appoint a reformatory committee, to make contracts with the schools. As chairman of the committee for the county of Lancaster, I have made contracts with about twenty schools, at the following rates: For boys, 1s. 6d. weekly; for girls, 1s. weekly. The manager of a school is either a private gentleman, or some benevolent lady, who works the institution, with a paid staff of officers. The children are instructed in elementary learning, and in husbandry, or some industrial trade. Latterly, three ship reformatories have been established for boys, and they are there prepared for the sea. Many of the schools have a band, and not a few become good musicians. The management is paternal, and, in not a few instances, something like a real home is made for the young offenders. Although there are no prison walls, escapes are rare. The sentence is usually for five years, but the manager may let the inmate out on license at the expiration of eighteen months if his conduct is good.

The ship reformatories are from the national fleet, forming part of the wooden walls of England. The introduction of iron ships of war, and the improvement in gunnery, has rendered them valueless, and the admiralty lend them to proper applicants. The cost of furnish-

ing such a hulk for reformatory purposes is about £3,000. Ship reformatories can be classed, neither as centralized nor as family institutions.

They are necessarily big schools, but the nature of the occupations and the naval discipline observed avert the evils which would otherwise ensue from large gatherings of criminal boys. The following notes were made after a visit to the Akbar, stationed in the Mersey:

"A few weeks ago, I saw, for the first time, the Akbar school frigate, at Rock Ferry; it is moored about half a mile from the pier, and, on our arrival (I was introduced by a gentleman from Liverpool, who takes a great interest in the Liverpool institutions), we were saluted by a young sailor, looking very like a boy on board a man-of-war, who told us that a boat was in waiting; it was manned by the young offenders, and we were soon on board, when, thanks to the polite attention of Captain Saulez, and of his brother, the chaplain, we examined the whole economy of the ship, and had full opportunities of seeing the boys at their various exercises; all dressed like sailors, they had a brisk and animated, though orderly appearance. Although they seek for bad cases, for hardened young criminals, and many of them are drawn from large towns, comparatively few of them had a criminal cast of face. At a signal, they assembled in the dining cabin, and, at another signal, all stood up, and musically and reverently sung the grace. The diet appeared to be rather coarse, but wholesome. We now proceeded over the vessel, into the hold, where the water tanks are kept, and into the various cabins. Everywhere, the most perfect neatness and cleanliness were observable. Whilst we were lunching with Captain Saulez, the schoolmaster brought about a dozen boys into an adjoining cabin, and they sang, with very pleasing effect, a number of glees and songs. They take most interest in those having a direct reference to their condition. After this, we heard the brass band, somewhat cut down in its numbers by some late discharges, but their performance was very creditable; one good-looking cornet player was pointed out as the son of a professional man; the father is dead, but the family are in easy circumstances. The hospital contained six patients; one of them, suffering from a cold, was confined in a strait jacket and guarded by two boys; he had, just before, rushed out, flourishing a red-hot poker amongst his confreres; he failed to create a sensation, and was by no means made a hero of. Captain Saulez treated the escapade with quiet contempt, and nothing more would be heard of it. The ship contained about 170 boys, some forty of whom had their names inscribed on a slate, in an honor list, as well conducted, and to be trusted on shore."

From my personal experience, I should say, that the maxim enunciated by Coleridge, as the true theory of school discipline, is generally respected: "The maximum of watchfulness, with the minimum of punishment." The system is far from perfect, but we can survey the results with satisfaction.

We know, from private sources, that certain districts have almost been cleared of juvenile crime since the establishment of schools, of which Cheltham and the county of Monmouth may be mentioned as examples; we know that a satisfactory diminution has also been perceptible in Liverpool. In my own neighborhood, I have seen two large gangs dispersed by the detention of a few of the ring-leaders. We know, from the judicial statistics, what effect reformatories have had upon crime in general; how, for some years, it steadily declined, and how, in 1861, an alarming increase took place, amounting to more than nine per cent of juvenile crime, and more than twenty-two per cent of adult crime. Mr. Turner explains the former advance by insisting on the effect of the abuse of reformatories; but the advance in adult crime at the same time shows this explanation to be untenable; indeed, if adult crime had made no advance, I do not see the force of it. Why seek for obscure, when obvious explanations are at hand? The public knows well, that the outrageous pampering of prisoners underlies the whole business, and saddles the whole responsibility on Sir Joshua Jebb. At the head of a system of female refuges, such as Feltham, his distinguished humanity would have gained him deserved credit; but, expended on muscular ruffians, to the peril of honest citizens, it is simply a nuisance.

A carefully calculated table of reconvictions of reformatory inmates, committed only once, to be compared with another of reconvictions after more than one committal, would be invaluable to magistrates, and would be obtained with little trouble.

France achieves a higher success than England in reformatory management. France classifies her *détenus*. England leaves their arrangement to chance, except in the solitary instance of Parkhurst. If each county would build a "Parkhurst" of its own, a classification would be easy enough, and the best results would, I believe, ensue. A boy may be, technically, decidedly criminal, without being highly vicious, and his introduction into a society of lads carefully trained in vice, in a doss-house, or any other den in our large towns, must be to his disadvantage, rather than gain; and we well know, that the admission of one highly vicious boy into a school often results in absconding and turbulence.

Admissions to reformatories in the years 1867-8—1,680:

Protestent boys,	1,018	Catholic boys,	359
" girls,	238	" girls,	65
	1,256		424

Ages of Admission.

BOYS.		GIRLS.	
Under 10 years,	23	Under 10 years,	2
Between 10 and 12,	237	Between 10 and 12,	39
" 12 and 14,	509	" 12 and 14,	91
Above 14,	608	Above 14,	171

NOT PREVIOUSLY CONVICTED.		PREVIOUSLY CONVICTED.	
Boys,	663	Once, boys,	480
Girls,	246	" girls,	50
		Twice, boys,	137
		" girls,	7
		Three times, boys,	56
		Four times, boys,	25
		Five times, boys,	16

Discharged during the year—1,145.

Died,	48	Enlisted,	18
Expiration of sentence,	33	To sea,	153
On account of disease,	15	Emigrated,	89
Incorrigible,	16	To service,	687
		Sent to relations,	36

Receipts for the year:

Treasury payments,	£72,998 13 5	Voluntary associations,	£625 5 3
Parents' payments,	3,112 13 0	Sundries,	1,829 10 4
Subscriptions,	12,236 8 4	Industrial property,	11,171 2 6
From county and borough rates,	15,287 1 5		£117,287 14 3

Expenditure:

Salaries and rations to officers,	£23,633 2 9	Sundries, repairs, rates,	£17,801 9 1
Food of inmates,	38,599 18 8	Rent,	2,291 7 1
Clothing "	12,530 2 6	Disposal,	4,418 3 9
Washing, fuel, lights,	6,225 10 10	Building,	4,608 19 8
			£110,108 14 4

Average maintenance (entire cost), England:

Boys' average,	£19 7 8	Highest, boys,	£24 9 10
		Lowest, boys,	13 12 2
Girls' average,	17 6 0	Highest, girls,	24 8 8
		Lowest, girls,	11 12 2

Average maintenance, Scotland:

Boys' average,	£16	9	4	Highest, boys,	£1
				Lowest, boys,	1
Girls' average,	14	1	10	Highest, girls,	1
				Lowest, girls,	1

The earnings varied from 9d. to £5 15s. per head per annum.

REFORMATORY RESULTS.	Doing well	Doubtful.	Convicted.
ENGLISH SCHOOLS.			
Protestant boys, per cent,	71.5	4.25	14.5
Protestant girls, per cent,	70.	14.	7.5
Catholic boys, per cent,	60.5	5.	24.
Catholic girls, per cent,	64.	5.	16.5
SCOTCH SCHOOLS.			
Protestant boys, per cent,	54.5	3.5	11.
Protestant girls, per cent,	70.5	7.5	10.5
Catholic boys, per cent,	75.5	.....	22.5
Catholic girls, per cent,	54.5	30.	10.5

Government reformatories, without the intermediate system of Walter Crofton, are necessarily failures, as the voluntary elemen deficient.

A true reformatory should combine the government control v voluntary management. Two adult reformatories, the Westmin Refuge and Mr. Bowyer's North-west London Preventitive Reformatory Institution, wanting the former element, and hav simply private management, have both proved failures. On other hand, in the following institutions combining the two eleme the Carlisle Memorial Refuge, the Golden Bridge Refuge, the Que Square Refuge, and the Eagle House Refuge have been emine successful.

The results of reformatory action upon the outside population h been alluded to. I may further add that Mr. Baker states, t juvenile crime has been diminished forty-four per cent by their ele years' action, and Mr. Kynnersley made the following statement the late Social Science meeting of Birmingham: "I have be twelve years in Birmingham as stipendiary magistrate. When I fi came, the ordinary number of boys in the gaol was over eighty, a reformatory schools had not been called into use. The act was existence, but there was a great prejudice against it. In my form experience as a magistrate, I had seen a great number of boys turne out of gaol, no better than when they came in, and I began to hav a strong prejudice in favor of reformatory schools. I adopted th practice of sending the boys to a reformatory, and at the end of year, the number of boys in gaol had been reduced to sixty. At th end of the next year, they had been reduced to thirty. In the return

for last week, it had been reduced to twelve, and the average was seldom more than twenty."

The acts of parliament for regulating reformatories have been consolidated under Vict. 29 and 30, chap. 117. Under the consolidated act, children between the ages of ten and sixteen may be sentenced for not less than two years, or more than five. Below the age of ten, a child previously convicted may be sent. The school life must be preceded by a minimum imprisonment in a common gaol, of not less than ten days.*

In choosing a school, the religious persuasion of parents or guardians must be respected. At the expiration of eighteen months, the offender may be let out on license, or apprenticed. The conditions of sentence are, that the child must have committed some offence entitling him or her to imprisonment. Managers prefer to receive children who have been previously convicted, but about fifty per cent of the boys are received on their first conviction. An exception is made in the case of girls, who are apt to be unmanageable when they have contracted decidedly criminal habits. During the past year the number of young offenders has increased by nearly three per cent; the increase in adult crime has been six per cent. Payments from parents may be enforced by a magistrate's order. The maximum sum is five shillings weekly. The usual order is for one shilling and sixpence.

Industrial Schools.

Certified industrial schools are intended for the reception of younger and less criminal children, the theory being prevention rather than punishment. By the act Vict. 29 and 30, cap. 118, any child under the age of twelve years, in a destitute or vagrant condition, or associating with thieves, and not previously convicted, may be sent to an industrial school by two justices of the peace.

Before the reception into a school, guardians of the poor must receive the child.

The period of detention is not limited, but, as a matter of practice, it is either for five years, or till the age of sixteen. At the latter age, the power of detention ceases. Parents and guardians of the poor may send unmanageable children, if the magistrates are willing to make the order.

There are at present 63 industrial schools, accommodating 3,976 children.

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* Assuredly a bad feature in the law. [Cor. Sec'y.]

RECEIVED DURING THE YEAR.		AGES.	
Boys	1,429	Under 7 years	
Girls	509	Between 7 and 9	
Total	1,938	Between 9 and 11	
		Between 11 and 13	

Discharged, 527:

Died	37	To sea	
Absconded	46	Emigrated	
Sent to reformatories	37	Placed in service	
Deceased	33	Sent to relatives	
Enlisted	1		

Total sent since passing of the act in 1857: boys, 4,781; g
1,829 — 6,620.

Results of discharges in three years—1864, 1865, 1866.

	Doing well	Indifferent	Convicted.	
Boys, Protestant, per cent,	61.4	6.3	5.0	
Boys, Catholic, per cent,	14.5	8.0	2.4	
Girls, Protestant, per cent,	67.8	10.9	2.8	
Girls, Catholic, per cent,	31.1	8.6	.....	

The total expenditure during the year was £87,825 5s. 4d.

RECEIPTS.					
Treasury allowance	£31,723	12	9	Sundries	£4,214 13
Parents and parochial boards	1,869	9	0	From rates	19,652 2
Subscriptions	23,010	15	8		£83,391 4
From voluntary inmates	2,920	10	11		

The treasury allowance is 5s. per head weekly, and the avera
cost is rather over 5s. 6d.

Whipping Act.

In 1862 an act was passed (Vict. 25, cap. 18), enabling justices
England to order a whipping for boys whose age does not exceed
years, and in Scotland when the age does not exceed 16 years. T
number of strokes is limited to twelve, and the instrument to be
birch rod.

Believing, as I do, that torture in punishment is unworthy of
civilized nation, I have never, during a series of years, ordered th
degrading punishment. I may quote the authority of the Inspect
of Reformatories, that the best reformatory results are seen in tho
schools where the system of treatment is mild.

Pauperism and Crime in England and Wales.

I have shown that, notwithstanding all our institutions for the reformation of criminals, crime is on the increase, and the re-convictions of criminals are numerically greater. The explanation is obvious. Trade is paralysed, our paupers are increasing, and now number 1 in 20 of the population.

The population of England and Wales is 21,500,000.

The present number of paupers is 931,546, maintained at a cost of nearly 9 millions sterling.

Our criminal class at large numbers 112,303 persons, being 1 in 191 of the whole population.

We passed through our gaols last year 145,184 criminals. I stated the cost of our criminal administration at 5 millions; the indirect costs of crime certainly are more than 10 millions; making a grand total of nearly 25 millions as the national charge for pauperism and crime — more than the interest of our national debt; and, notwithstanding the fact staring us in the face that 93 per cent of our criminals are totally illiterate or very imperfectly educated, we only charge the national purse with about three-quarters of a million for educational grants.

You have been told that the Irish system is partially introduced into our convict prisons. The directors' report is just out. From it, we learn that the great English reformatory experiment promises good results.

On the 7th of April, 1868, 6,552 male convicts were in confinement, and of them, 1,981 were either confirmed invalids or fit only for light labor.

The daily average of prisoners employed on public works has been 3,109. These, assisted by 92 prisoners at Woking, capable of only light labor, have earned during the year, £113,115 3s. 1d., giving an annual average of £35 17s. as the earnings of each convict. The total expenditure of the convict prisons has been £244,067 6s. 10d.

Woking and Dartmoor are reserved for invalids, the most serious cases being sent to the former.

Parkhurst is reserved for the worst female criminals. During the year there were 333 inmates, and the prison punishments numbered 757,—thus:

Hand-cuffs,	10
Hobbles,	46
Straight jacket,	54
Dark cells,	37
" " with bread and water,	18
Other punishments,	592
Total,	757

These punishments indicate the depravity of these women, but possibly a milder system would be more successful, as we find that Brixton prison with 707 prisoners (women) has only 699 punishments, and of these, the highest is the refractory cell.

That the inmates enter with no better moral natures than those at Parkhurst, is probable from this passage in the superintendent's report:

"Those who obtain no remission of their time are by far the most likely to return to evil courses when discharged by expiration of their sentence; they seem so unreclaimed as to be incapable of esti mating either kindness, firmness or humanity; yet there have been instances of even such, voluntary and without other motive, coming when free and leading good lives, to express the justice of their prison treatment with remorse and repentance."

He concludes with the statement that the reduced gratuity diminishes their ardor for hard labor, and that 11 of them had been provided with situations by the London Discharged Prisoners' Aid Society, and that without this aid little hope of an honest living could have been entertained.

Fulham Refuge receives the first-class women convicts, and from thence they are drafted off to refuges.

There have been 248 inmates and only 64 punishments, and these chiefly of the lightest kind, such as one day's bread dinner.

The directors give prominence in their report to the "success which has attended the philanthropic efforts of the discharged prisoners' aid societies; they have been established in Birmingham, Leeds, Stafford, Manchester and Salford, and we cordially recognize the great assistance rendered by these associations in the work of criminal reformation."

This generous acknowledgment of our societies will cheer us on to renewed exertion.

VIII. ADULT REFORMATORIES.

By Matthew Davenport Hill, Q. C., Corresponding Member of the Prison Association.

The question which I propose to consider in this paper is: "Can voluntary agency be safely applied to the treatment of adult criminals?"

Reformatory treatment of criminals, as opposed to punishment exclusively deterrent, is at length adopted, more or less thoroughly, in all our prisons, as well as in our reformatory schools; and I cannot think it either necessary or desirable to revive the controversy as to the preference merited by reformatory training over merely deterrent inflictions.

Reformatory treatment, then, has now ceased to be the peculiar characteristic of reformatory schools. Their distinguishing characteristic now consists in their being established and conducted by the agency of voluntary managers, who receive from the executive government a pecuniary allowance for each juvenile offender under their care, so long, and so long only, as government is satisfied that its bounty is faithfully and judiciously applied to the promotion of the end in view.

The success of reformatory schools in permanently reclaiming the young, has naturally directed the thoughts of the benevolent to the question proposed for discussion in the present paper. Satisfactorily to answer this question, it will be necessary to compare the differing circumstances of juvenile and adult offenders.

In the treatment of the young, we find certain facilities which, in the treatment of adults, are changed into difficulties. Whether offenders or not, the young are at a stage of life when they fall naturally under the control of their elders, as their superiors in strength of body and mind, and also as being the source from which they draw their subsistence. To the young, therefore, submission is not (as it is to adults) humiliating, and does not provoke resistance. All things concur to render it an easy task to subject them to a course of discipline which, though mild and genial, shall be efficient for its purpose. Ease and difficulty, however, are comparative terms, and it must not be supposed that the establishment of a reformatory school, working with success, is a slight achievement, except when compared with the production of like results on convicts arrived at years of maturity.

Toward the young, sympathy flows in streams abundant and spontaneous, so that sacrifices of time and money are willingly made for

their benefit. But it is almost needless to observe, that except such of us as have by our pursuits in life been called upon to reflect much and closely on the condition of the man neglected in childhood and youth, and in whom proclivity toward evil has become by the slavery of habit inveterate, sympathy with the adult criminal is hardly warm enough to produce of itself earnest and persistent efforts in his behalf. Many, too, however mercifully disposed, are under the sincere though mistaken conviction that the reformation of offenders advanced beyond the period of youth, and especially after they have adopted crime as their calling, is, if not utterly impossible, yet successful with so few as not to justify the expenditure of money and of labor sufficient for its accomplishment. Here, then, are obvious reasons why voluntary efforts were first applied to the reclamation of the young; and why so long a time has elapsed, even after the proved success of reformatory schools, during which the employment of a similar agency for the reclamation of adults has remained, except in a few instances, an untried experiment.

The difficulties attendant on the treatment of the adult criminal meet us at the outset. Matured in bodily strength, and with a mental training directed to enable him by means of crime to command not only the comforts but the luxuries of life, his custody is a task of anxious responsibility. A strong prison must be built for his reception, and in addition to the appointment of a competent governor, the cost of a powerful, experienced and vigilant body of warders must be incurred. It has been found necessary, too, that the first months of imprisonment should, as regards adults, be made a term of severe privation. A criminal, says Maconochie, should be treated by law as a man is dealt with by society, who, from his indolence, prodigality, or imprudence, has fallen into adversity. He is left to work his way out of the unhappy position in which he has placed himself; and thus should a criminal be left to struggle; only that, as his misconduct is graver than that of the indolent and the prodigal, so must his adversity be more profound, and his sufferings, for his own sake as well as for that of the community, more severe—such increased severity being essential to his reformation. The truth of Capt. Maconochie's theory has been established by experience, and is now generally accepted by persons conversant with the subject.

It is, then, plain that with adults we cannot begin — and probably no one has ever dreamt of beginning — by voluntary agency. To build a gaol, and superintend it during the early period of the detention of its inmates, would be a task so costly, and at the same time so gloomy, that to indulge the hope that it will ever be undertaken by a voluntary association would be the wildest extravagance.

Thus the criminals on whom alone the proposed experiment can be tried with any prospect of success, and under circumstances inviting voluntary effort, must, of necessity, be comparatively few. By far the greater number of imprisonments are for terms so short that the criminal is discharged long before reformatory action could produce any appreciable change. This fact, of itself, excludes the majority of prisoners from treatment by voluntary agency. Again, criminals convicted of heinous crimes could not be received by the managers of adult reformatories at any stage of punishment. It would be felt that the risk of an outbreak ought never to be incurred. Its effect upon the other inmates would be highly injurious, and the public would regard even a single event of this kind as demonstrating that the principles on which the scheme had been devised were utterly fallacious. Old establishments might survive such a misfortune even if repeated, use rendering us patient of defects which, in a new enterprise, would be pronounced intolerable.

But the eliminations to which I have pointed being made, I see no reason to doubt that the residue of the prisoners might be advantageously treated in reformatories under voluntary management, and, consequently, that the question under consideration should receive a qualified answer in the affirmative, so far, at least, as respects the probability of such a project answering the intentions of its promoters, assuming, always, that promoters will appear whenever the law on the subject is so framed as to give them the requisite power and funds.

The privilege of abbreviating his term of detention by industry and good conduct operates on the convict as an important stimulus to self-amendment. But stimulants act on the patient (so to speak) with an efficiency increasing in proportion as the distance between him and the goal he has to reach diminishes. When his punishment begins, the day of liberation — let him exert himself to his utmost — is so far off, that he is at first but languidly excited. Hence it has been found expedient to hold out to him additional objects of desire, more speedy in their attainment; and thus (as far as possible) to enable him to avail himself of his confinement as an opportunity (or rather a series of opportunities) for advancing himself in comfort, as consequent on his advance toward reformation. And as the stage at which the prisoner would be prepared for removal to the adult reformatory would be arrived at long before the period of conditional discharge upon ticket-of-leave, it would form one of the objects of desire to which I have just referred, and he would evidently look forward to its attainment months, perhaps years, before his ultimate object — restoration to liberty — would be near enough greatly to move him.

The reformatory here contemplated differs essentially from prison. Its inmates are not under locks and bars, being retain only by moral force. On the one hand, if they remain and perfo the duties prescribed to them, they know they shall earn their tick of-leave, accompanied by the right to refer to the authorities of t prison for their past good conduct, and to the police of the neighb hood of the district in which they propose to reside, to prove the co tinuance of their well-doing; while their title to assistance fr prisoner's aid societies they will find at once admitted. On t other hand, by escape (or desertion, as it might be more accurate designated), they would incur great risk of being retaken, with t certainty, if retaken, of being thrust back into the first and severe stage of gaol discipline, thereby postponing to a very distant day t recovery of their freedom.

The motives to gain entrance to the reformatories would be stron Whoever can be intrusted to continue in confinement when he h it in his power, at any moment, to go at large, will be safely allowe to enjoy many privileges, which I need not enumerate, most gratef to him whose liberty of action has long been under strict contro The mere change of dwelling place would be a break in the mono ony of his life, welcome to a degree that we, who have always en joyed our liberty, are hardly competent to measure. It is scarcel necessary to remark that much care in selection would be demanded and naturally exercised, since both the prison authorities and th managers of adult reformatories would be strongly impressed wit the necessity of choosing convicts not merely qualified by having passed through the prescribed gradations in gaol, but known, or at leas believed, to be sincerely bent on self-improvement, and to have earnestly co-operated with those who had had charge of their train- ing in turning it to the best advantage.

Probably it will be found that the numbers in each of the contem- plated reformatories can scarcely be too small. The inmates, during their life in gaol, will have pretty much exhausted all the benefit that can be derived from strict rules strictly enforced. Reliance must now be had on habits and dispositions already formed, and on the influence for good to be derived from that kindly and familiar intercourse between the managers and their wards, which is incom- patible with large numbers. The inmates will look upon these philanthropists as their exemplars and their patrons. A mutual attachment will spring up, and they will be conscious that, unless by their own fault, the relations between these patrons and them- selves will continue long after they shall be restored to society. This is not merely a speculative opinion. We have some experience

guide us. Women convicts, at the Refuge established at Golden ridge, near Dublin, are placed under circumstances very similar to ose under present consideration. That institution has now a satis- ctory — indeed I might say a triumphant — history of twelve ears. The Carlisle Memorial Refuge for Convict Women, estab- shed during the year 1865, in London, but lately removed to Vinchester, where it has the signal advantage of supervision by ir Walter Crofton, corroborates the testimony derived from Golden Bridge. At Lusk, fifteen miles from Dublin, the bold experiment f what may be called *moral imprisonment* has been pursued or eleven years with adult male convicts, who, before admit- ance, had passed successfully through the training afforded by the Irish system. So much fear was entertained by the neighbors of his establishment at its foundation, that, in order to allay apprehen- sion, barracks, duly garrisoned with a police force, were built hard by the huts of the convicts; but this supposed necessity for protec- tion by police quickly passed away. A succession of these convicts have been constantly employed in reclaiming and cultivating a large tract of common land, and their blameless conduct has gained them the good will of the whole neighborhood.

The length of probation, held by the government to be an essential condition of admittance to institutions like that at Lusk, renders it impossible that a similar privilege should be extended to prisoners sentenced to a lighter punishment than penal servitude. The pro- posal, therefore, now under consideration must be understood to exclude all minor criminals.

No doubt it is painful to draw a distinction conferring a privilege on the greater offender, which is withheld from the less guilty. Possibly it may be urged that the injustice of such a rule is more apparent than real, inasmuch as the less guilty receive an absolute discharge from gaol prior to the arrival of the period at which the privilege would begin. This plea, however, is open to the answer that lesser offenders may deserve confidence after a shorter probation than is required for greater criminals — a proposition founded, as I believe, in truth ; and it is to be hoped that in time a system of penal discipline, more consonant with justice than our existing practice, may be devised and carried into execution.

To pursue this topic further would be to enter a region of specula- tion, which I must leave to be explored by younger men.

IX. METTRAY, FROM ITS COMMENCEMENT TO THE PRESENT TIME.

By Miss Florence Hill, Corresponding Member of the Prison Association

"*Dans le beau domaine de la bienfaisance*," * declared M. D at a public meeting he attended many years ago at Birmin "*nous ne faisons qu'un seul peuple, sans douane, sans fron* Deeply gratified by the invitation I have received to furnish t valuable publication a history of Mettray, I feel that, as an E woman writing of a French institution for American readers, well take as my motto these noble words, spoken by him whose my pen has the honor to record. "Free trade," he continued, " as it affects commercial interests, seems still to be regarded in quarters with suspicion, cannot however but meet with uni approval in its relation to that interchange of thought whic motes the holy cause of humanity." In furtherance of such change, I gladly avail myself of the opportunity afforded me o ing known, in your pages, the principles upon which Mettra founded, and continues to be governed. And in thus promul them, the doctrine of free trade in thought, advocated by M. De is peculiarly vindicated, since there is reason to believe th germ of those grand ideas, whose fruit is Mettray, arose in his during a visit to the United States in 1837, when, forming on Government Commission to examine into the state of your pr his attention was naturally drawn to the cognate subject of c tional establishments for the young; and the houses of refu New York and Philadelphia may have recommended to his con ation a more humane method of dealing with child-offenders yet prevailed in his own country, where, however, two similar tutions, though on a very small scale (those of Neuhoff and M St. Firmin), had existed since 1828.

It is known probably to my readers that, by the 66th article o Code Napoleon, children in France, under 16 years of age, wh found guilty of an offence, may be acquitted as having acted *discernement*, in which case they are liable to detention for educ for a certain number of years, according to the sentence of

* "In the beautiful domain of philanthropy, we form but one people, witho tom-house, without frontier."—Cor. Sec'y.

agistrate before whom they are tried. He has, however, the option treating them as adult offenders, in which case they undergo conction. This, however, happens comparatively rarely; but until e establishment of reformatory schools, the child derived little or benefit from his privilege of acquittal, since there was no other ace than a prison open to receive him. He was thus exposed, for period often of many years, to the most injurious influences, being equently associated with hardened felons. It was the desire to ive life and action to the merciful provision of the law, which itherto had remained almost a dead letter, that called Mettray into xistence.

A brief sketch of the founder of this wonderful institution may itly precede its history.

Frederic Auguste Demetz was born in 1796, and, choosing the law as his profession, he early distinguished himself, attaining the judicial office at the age of 25. His long experience as a judge gave him a deep insight into the causes of juvenile crime; and the helpless misery of the child-criminals, sometimes so diminutive that he was unable to see their heads over the intervening desk, was perpetually brought before him. The consequences of either alternative, imprisonment or discharge, were too painful for contemplation; and, conceiving a project by which these poor little creatures might be rescued from their present and future suffering, he resigned his high office as *Conseiller á la Cour Royale*, and dedicated his life to the organization and perfection of his philanthropic scheme.

No man could have been better fitted for the noble but arduous task to which he henceforth devoted himself, at which, notwithstanding the infirmities of age, he yet labors with unremitting zeal. His power of enduring fatigue, for instance, was enormous. He once traveled from Naples to Paris, a journey of seventeen days and seventeen nights, without stopping. At another time, when in England, he heard that the Lakes of Killarney were well worth visiting, and he determined, though he had only eleven days for his journey, not only to see them, but to make the tour of Ireland, and return to Paris within the time. He set out, crossed to Dublin, saw Cork, Killarney and Belfast, returned to Dublin, sailed for England, traveled to Brighton, crossed to Dieppe, and though, on arriving there, he found the diligence full, and was thereby obliged to travel part of the way on post-horses, he reached Paris by the time prescribed, not having been once in bed during the eleven days.

A near relation of his once accompanied M. Demetz through Brittany; and the plan of their journey was so contrived, that they were to see the objects of their tour by day, and to travel over the parts

barren of interest by night. "But," said the relative, who hims
told the story, "at the ninth night, I was obliged to cry, halt! thoug
he continued, "I was a young man, and had never had a day's illn
in my life."

M. Demetz has been in the habit of commencing his work by fo
o'clock in the morning, writing for an hour in bed. At five, he r
and began the active work of the day. This wonderful power
labor has been one grand source of his success; another is his devot
ness. The first created what we may term the financial prosper
of Mettray; the second has infused into it the Christian spirit of lo
which pervades the whole institution.

But personal activity and self-devotion the most complete will n
however potent, of themselves, suffice to accomplish what M. Deme
has achieved. He is emphatically a many-sided man. Imbued wi
intense religious feeling (entirely free, it is hardly necessary to sa
from any taint of bigotry), possessed of rare power ("both telescop
and microscopic," as it has been acutely designated), which enabl
him, not only to originate grand ideas, but also to carry them int
execution with the minutest detail, endowed with a profoundly phil
sophical mind, and a benevolence which knows no limit, there is als
in him a spirit of poetry, revealing itself in his keen appreciation o
the beautiful, whether in nature or art, and more especially in hi
quick perception of all moral beauty.

With such qualities of head and heart, combined with a liveliness
of wit, and refined courtesy of manner, recalling the charm of the old
French *noblesse*, of which he is a member, his creation of Mettray is
accounted for, and his abiding influence over all its inmates, whether
officers or wards, ceases to surprise.

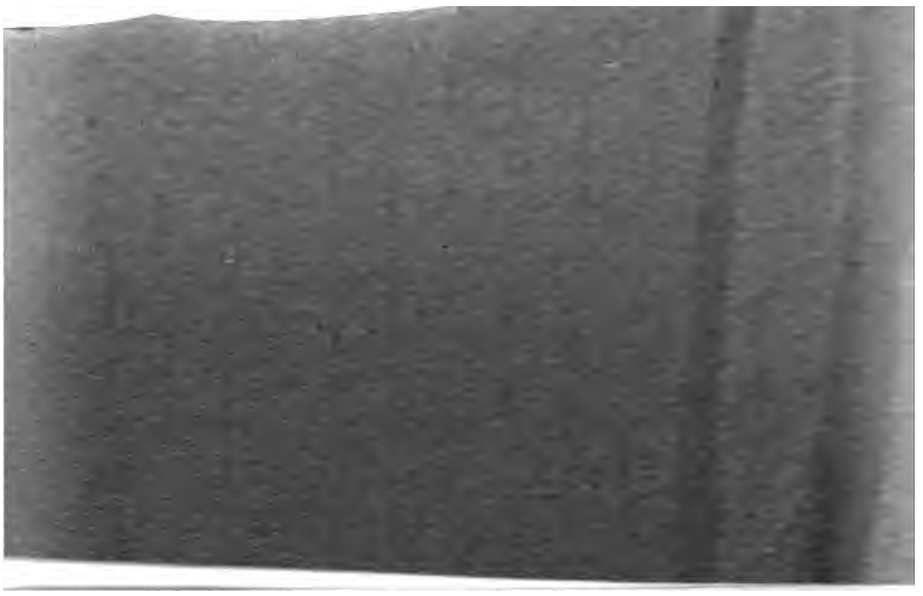
In 1833, a Patronage Society, whose object was to befriend juvenile
prisoners, was originated by M. Lucas, Inspector General of Prisons,
under the presidency of M. Beranger (de la Drome). Its labors soon
produced a perceptible diminution in the number of reconvictions.
Among the duties it assumed, was that of seeking work for young
persons on their liberation, and watching over them when placed out.
It was found, that they were regarded with distrust, both by their
employers and by their fellow workmen; the period passed in prison
had not been so spent as to encourage a belief in their reformation,
and no means existed for exercising any legal control over their present
actions. In the best interest of these objects of its care, the Patron-
age Society induced the Minister of the Interior to adopt, with regard
to them, the following course: Lads, who in prison gave proof of
amendment, were conditionally discharged, provision being made, in
case of serious misconduct, for their relegation to gaol by an order

e minister, on an application from the Patronage Society. The results ensued. Places were more easily procured, employers ıe less apprehensive, and the youth more obedient. Here, in ve have an illustration of the value of the principle of condi- discharge which, among manifold advantages, obviates the r of an abrupt transition from the strict discipline of a prison olute freedom. In a work on prisons, published by M. Demetz 38, he advocates its adoption for adults; and it forms one of the mental principles of that plan which, having in connection with convict gaols, obtained a world-wide reputation, is now so rap- aining ground in England, that I rejoice to be able to call it ational system of prison discipline.

e Patronage Society, however, did not stop here. It nominated mittee for the purpose of collecting information, which should e it still further to promote the reclamation of the young; and inquiry it decided upon founding a reformatory, and resolved to agriculture the chief occupation. It knew that a large propor- f its wards, drawn from the lowest population of large towns, l come with their bodies diseased, and their passions prema- developed. To endow them with a health they had never yet n, to calm their unnatural excitement, and root out evil tenden- es by the pure influences of nature, could, it judged, best be plished by a life of rural labor; while at the same time, a much d school for agriculturists would thus be established.

e society, however, feeling in want of practical knowledge on ıbject, deputed two of its number to study, on the spot, institu- already in operation in Belgium and Holland, similar to that contemplated. This deputation consisted of the late M. Leon her and M. Demetz; the latter having already resolved to dedi- his life to the great cause, of which he has become the apostle. was to learn, however, rather by warning than example, that the an and Dutch reformatories were visited, their success having altogether incommensurate with their aim and the efforts of supporters. They had been planted in the midst of barren s, where, as one of the inmates remarked, "there is not a blade ass that has not cost a drop of our sweat;" and to the depress- influence of almost fruitless labor, M. Demetz attributed their isfactory results; a conviction which largely influenced his sub- nt choice of land for his own institution.

ter their tour of inspection in Holland and Belgium, M. Faucher bliged to return to Paris, and M. Demetz prosecuted his inqui- lone. By chance he heard of the Rauhe Haus, opened in 1833 ıe philanthropic Henry Wichern, for the reception of children



renders superintendence at once easy, direct and kindly: easy, because it extends over only a small number; direct, because it brings responsibility home to one person, the head of the family; kindly, because, actuated by this very sense of responsibility, and yet living in common with the objects of his care, the superintendent acquires for them a feeling of sympathy and even of affection. Upon the children themselves its influence is no less salutary. The authority to which they have to submit is paternal; they become attached to their chief; and in this mutual affection is found a moral lever of incalculable power. An innocent and healthy emulation arises when the families are multiplied. In a large edifice, containing a numerous population, common interests are so much diffused as to be feebly felt, unless indeed a general spirit of insubordination should arise, when the combination of numbers becomes an element of great danger. But in small groups, internal sympathy is intensified by external rivalry, which, if carefully directed, may always be rendered powerful for good.

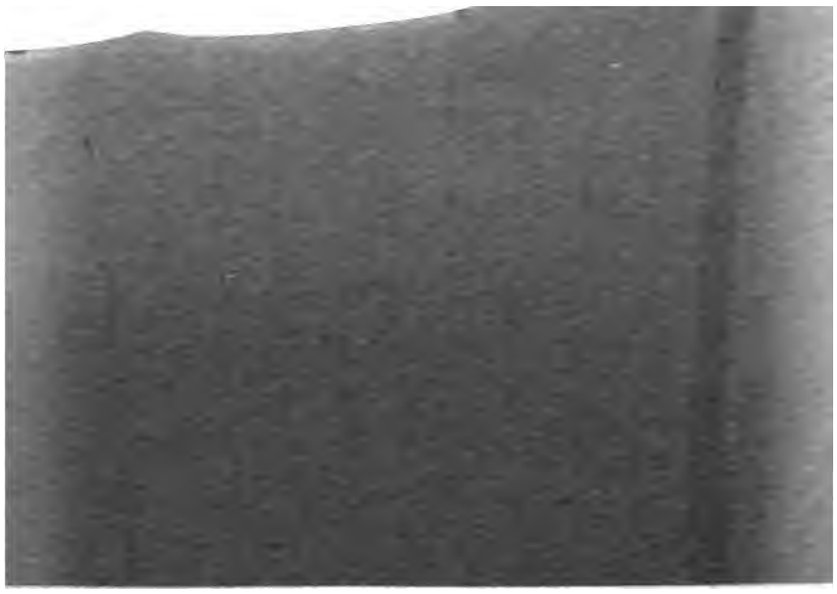
This subdivision, moreover, facilitates the individual treatment of each child; indeed, where large numbers are massed together, such treatment becomes impossible, and this fact alone suffices to invalidate the *agglomerative* system. Individualization is an indispensable element in reformatory treatment, which renders it, in the opinion of M. Demetz, a fatal error to economize in the number of teachers. Moral influence can only be created by bringing them in the closest contact, heart to heart and mind to mind, with those whom they seek to win from evil. It is, he says, "a sort of single combat" in which they have to engage, and failures in reformatory undertakings are too often to be attributed to the substitution of collective for individual action, resulting from the employment of too small a staff of officers. One may manœuvre a regiment by the word of command, or a ship's crew by the boatswain's whistle, but moral government is to be attained by far other means.

Needing to prosecute his inquiries no further, M. Demetz returned to France, and there a most fortunate circumstance awaited him in the renewal of intercourse with a former fellow-student, the Vicomte de Bretignières de Courtelles. Losing sight of each other at the close of their college career, while M. Demetz was preparing for the law, M. de Courtelles had entered the army. But his attention also had been drawn to the subject of criminal discipline, upon which he had lately published a work entitled, "*Les Condamnés et les Prisons.*" To him M. Demetz imparted the information gathered in Horn, and they resolved immediately to begin the Reformatory already projected by the Patronage Society.

ch an institution is, in France, styled a *colonie agricole*, the colonie—from the Latin *colonus*, a husbandman—meaning y any settlement, whether at home or abroad, planted for pur- of land cultivation. There are *colonies agricoles* of different . Those of "*la première catégorie*" resemble our industrial ls, while such as Mettray are termed *colonies agricoles et péni- ires*, and employ a stricter discipline.

de Courteilles granted, on loan, a portion of his beautiful estate ettray, five miles from Tours, upon which to found the colony. smiling district of "merry Touraine" is in the midst of the n of France, where no impediments from sterility of the soil to be feared. M. Demetz acknowledges that to render waste fruitful by the agency of hands hitherto useless, is, in theory, actory, and, at the first glance, also accords with our sense of ce. Such cultivation, being more difficult, has a more penal cter, while it utilizes men who have been noxious to the State, rom whom it is reasonable to demand the severest toil. But it ever be borne in mind that the chief object of a reformatory is form. To inspire those with the love and habit of labor whose e life has been spent in dissipation and idleness, it is indispens- that that labor should present some degree of attraction, and efforts, at best intermittent, should obtain a speedy and tangible rd. And if these remarks be true of the adult, with how much force do they apply to the child, whose lively fancy can neither forward nor wait; whose ardor, easily roused, is as easily de- ed; and whose future is to-morrow.

obtain the necessary funds for carrying their project into effect, wo friends originated the *Société Paternelle*. The Comte de Gas- n became its president, and the illustrious names of de Tocque- , Gustave de Beaumont and Lamartine are found among those of nembers. Its declared object was "to withdraw juvenile delin- nts from the moral taint of bad example, the physical injury lting from tasks beyond their strength, and confinement within onstructed prisons; to rescue both soul and body from the miser- future hanging over them, and to reclaim them by opening to n an entirely new mode of life, which should also convert them useful members of society." On the 24th June, 1839, was ed the "*Acte d'Association*," as it was called, for founding Met- , and well may that document be regarded as the charter of dom, in its noblest sense, for thousands of children, not in France e, but in every country where this great exemplar has been thily copied. The society immediately issued a prospectus, and so ready a sympathy was its proposal received, that 500 sub-



scribers joined in the first year, among whom were King Philippe and the members of his family, ministers of state, me of both houses of parliament, judicial and educational bodies, a significant fact — many inhabitants of the department in the colony was to be planted. The government which, in F has always been ready to enlist voluntary aid in the treatm criminals, willingly agreed to consign their young offenders care of the society; in other words, to that of M. Demetz a de Courteilles, for they alone took any active part in the m ment of the reformatory. In the same year the Abbé Fi founded an agricultural colony at Marseilles. Until this day ile offenders had, with few exceptions, been cast into prison, the only employments taught were trades, necessitating a ret town-life on their liberation; thus their miserable constitutio came still more impaired, and they sank, morally and phys lower and lower in the social scale. Seventy-five per cent of unfortunate beings relapsed into crime, while, rendered by d unfit for military service, *l'impot du sang*, as it is called, namel conscription, fell with proportionate increase of severity upo healthful and well-conducted. The large number of able and r orious soldiers, for whom the French army is indebted to Mettr in itself a striking proof of the admirable sanitary result c system.

With land to commence operations upon, and subscriptions ing in, the next step taken by the enlightened founders of Me was to prepare the officers, on whose efficiency the success of enterprise would depend. Instead of building lofty walls for restraint of their future wards, they educated the guardians were to control them, substituting moral power for material re ance. "We did not disguise from ourselves," says M. Dem "that the task of changing bad boys into good ones was not on be confided to the first comers. It is a serious charge, demand minds thoroughly prepared, entire self-devotion, and morality ab suspicion."

To obtain a staff of officers thus highly qualified, the *Ecole Prépa toire* was opened on July 28th, 1839, commencing with twenty-th pupils. Originally the course of instruction embraced religion, French language, national history, geography, arithmetic, geomet linear drawing, book-keeping, gymnastics, swimming, and vocal a instrumental music. Agriculture was taught in all its details, a also the elements of the natural sciences with which it is connecte This course of study has of late years been somewhat extended, a in 1857 the buildings appropriated to the school were considerab

rged. It has now accommodation for twenty-five pupils. These elected invariably from respectable families, but often from such ave met with reverses of fortune, to whom the education and ntenance thus obtained are a great boon; while, as regards the ny, so vital a part of the institution does M. Demetz regard the *e Préparatoire* to be, that I have heard him declare, that were be closed, Mettray itself must cease. Its operation, moreover, res not only the training of future officers, or *agents*, as they are d, but — a scarcely lesser advantage — the elimination of candi- s who prove to be unsuited to the post to which they have red. The system of education includes a practical acquaintance the duties of an agent. Thus, during the period of study, M. netz obtains a knowledge of the pupil's character, which enables to judge of his fitness for the vocation he has chosen, while, , the youth has the opportunity of testing the sincerity and nanence of his inclination for it. The greater number pay a lerate sum — 600 francs a year — for their board, lodging and ruction, but, under certain circumstances, pupils are received uitously. None, however, "when they come to us," writes M netz in his latest treatise on this subject, "enter into any engage t to remain. They are free to leave, and indeed they ought to e, the school the very day they cease to be content there, for from moment we lose the only influence over them we desire to rcise — that which springs from conviction. Constraint can never birth to devotion, and our aspiration is, that all who aid us uld be animated by the pious desire of being useful to their ow creatures."

Many do, in fact, find that they have mistaken their vocation and art; in the case of others, this discovery is made for them. The e, however, spent at Mettray has not been lost. For all who ve, if they desire his intervention and their conduct merits it, the ector interests himself to procure employment, which the sound cation given at the *Ecole Préparatoire* makes it easy to obtain. Those who remain, who have proved alike their capacity and their otion, form an invaluable staff of assistants, not only for Mettray, for analogous institutions throughout France.

f we inquire into the history of those reformatories which already st among us, of all the difficulties that beset them, will not their porters at once admit that the greatest has been to procure effi- nt officers; that though zeal does not lack, the want of knowledge l experience in the possessor to turn it to account renders it some- es even pernicious instead of beneficial; and that the advantage ncalculable, which would accrue from the creation of a reserve

fund, so to speak, such as the *Ecole Préparatoire* at Mettray to all France of officers, inured to the hardships of their profession, practised in its duties, imbued with a profound it, and, above all, actuated by the purest motives in its se That the *Ecole Préparatoire* sifts the wheat from the ch retains only the former, may be inferred by those even w never visited Mettray from the stringent rules, in virtue o not only is a pupil at once dismissed, who, in the course of is guilty of any immorality, but, if as must occasionally hap superior education which a young man receives in this school the germs of self-conceit, or calls out a display of excep motives, he receives an intimation that he has mistaken his and is requested to withdraw. But for those who have had fortune to make the personal acquaintance of the officers at argument to prove this is needless. In a charge delivered Recorder of Birmingham in October, 1848, shortly after his fi to that institution, in describing it, he says of the agents founders have breathed their own earnest benevolence into the of their coadjutors. Seldom have I felt so deeply interested a hours I spent with these amiable and intelligent young men. devotion to their employment, their perfect knowledge of principles on which the institution is founded and of the best for carrying these principles into effect, their enthusiastic attac to the generous men to whom France and the world owe this establishment, the kindness which they evinced in their dea toward their wards, and the grateful spirit in which their not these poor lads was received, left me no room to doubt that among realities, not surrounded by mere shows and forms." devotion of these young men to Mettray and its founders, m touching anecdote is related. One of them received the offer very good appointment, which M. Demetz tried to prevail upo to accept; he seemed to be partly persuaded, and was on his with M. Demetz to be introduced to his new office, when he sto and turned back, saying decidedly, "No, he could not, and w not leave Mettray;" and there he remained. A gentleman, hap ing to come to Mettray for a day's visit, fell beneath its wond spell, and remained for many years. He did not depart until he gratuitously, completed all its financial arrangements, and, on quitt he left a sum to defray the entire cost of one of the houses wh now bears his name, "Giraud." "That M. Demetz has been ab says a writer in *Chambers' Journal*, "to find and to inspire so l a number of efficient workers with such pious and patient zeal, fact that makes one hesitate which to admire most, him or his agen

hteen annual reports of Mettray have been issued, the last ring in 1857. They were then discontinued, partly because the y had attained its full development and, the system working the regularity of long established order, there was little to relate had not already been told; partly owing to the increased labor n upon M. Demetz by the loss of M. de Courteilles, and the ity which each year renders more stringent upon him for econo- g, in every way possible, his time and strength, that they may for the ever-increasing demands of his vast enterprise.

the first of these reports, dated June, 1840, it is stated that, occupied in establishing the *Ecole Préparatoire*, the directors M. Demetz and de Courteilles were now styled) were "also ed in erecting, not far from it, the dwellings destined to receive olons, the plan of which we will explain: The houses (which, the other buildings, surround a large oblong court) are all hed; each is twelve metres (thirty-nine feet) long, by six metres, six centimetres (21 feet) wide, and consists of a ground floor, over that a first and second floor. The ground floor, the colons* are employed, when not occupied out of doors, is ed into four workshops, by a partition, sufficiently low to enable perintendent, placed in the middle, to overlook every compart- without, however, it being possible for the boys in one to com- cate with those in another, or indeed to see each other when l; while the upper part of the room being left free, the tem- ure of the whole remains the same, however unequal in number be the lads at work in the different divisions.

On the first floor is a dormitory for twenty children. The ham- s in which they sleep are so arranged that surveillance at night y, while, in the day time, they are lying up against the wall, he room is available for other purposes. They are suspended ght parallel with each other, but so that the heads and feet of ccupants shall come alternately side by side, by which means rsation, even in a whisper, is prevented, and it is made possible ce them very near together, without any evil consequence.

Planks fixed to posts by means of hinges, and which can be ed at pleasure, form a table, extending the whole length of the which may thus be used as a refectory, and, when the tables aised parallel with the posts and the hammocks are hung up st the wall, a long, clear space is obtained, where, in rainy er, the boys can be employed in various occupations, and at

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lon is the designation of the wards at Mettray; the inmates of the *Ecole Pré- ire* only are called *élèves*, or pupils.

the same time be continually overlooked. A little room is pa
off from the larger apartment, and having the side which co
a view of the latter furnished with venetian blinds, the occu
see, without being seen; in this post of observation, the
famille has his bed, and, as no one knows whether he is
not, there is not a moment when the boys can feel sure his e
upon them.

"The second floor is arranged on the same plan, and is also
to receive twenty colons.

"Two *contre-maitres* keep watch at night in each dormitor
the duty alternately till morning.

"Each house thus accommodates forty children, divided
sections, forming one family, presided over by a *chef de fami*
by two *contre-maitres.* In addition to these, a colon i
monthly in each section, who, with the title of elder brothe
the superintendents in the management of the household."

The number of children thus grouped together has been
to as far exceeding, even in its subdivision, that of the natu
ily; on the other hand, Mettray has always been liable to
for its costliness (as compared with other continental reform
by those who do not take into account its greater success. W
Demetz is not of opinion that it is expedient to reduce the
to that of a real family, because, as it is unreasonable to expe
the affection felt by each member for companions arbitrari
ciated with him can approach the warmth of an affection insp
nature, it is necessary to raise the number of those member
ciently high to create among them a public spirit, which
strengthen the imitative family bond, yet he believes it would
to fix it at twenty-five. But to have constructed the fami
Mettray upon this scale would have necessitated an increase
staff of officers, which the financial prospects of the colony u
pily have never authorized.

"Each of these houses containing 43 persons costs (internal fi
included) 8,300 francs (£332); that is, 193 francs (£7 14s) for
inmate, or 9 francs 65 centimes annually.

"Four houses are already finished; they stand 10 metres (33
apart, sheds filling up the intervening space.

"The ground floor of the first house is occupied by tailors,
makers, coopers and plaiters of straw, and there is a rope walk i
adjoining shed. In the second house is a carpenter's shop, the
required being stored in the shed next beyond. In the third hou
are this year cultivating silk worms, from each of which seven ou
of silk have been obtained, and the third shed forms a covered co

e fourth house contained six cells (the punishment quarter not yet erected) and various apartments for the use of the officers. ge and blacksmith's shop occupied the fourth shed. The fifth , which was to be the chaplain's residence, was nearly finished. Courteilles lived at his mansion, a short distance from the , but M. Demetz, the Sisters of Charity and officers, occupied tion of the *Ecole Préparatoire*, until their several dwellings l be prepared for them.

eral years elapsed before all the buildings originally designed erected, lack of funds making it imperative to postpone the etion of the colony; one edifice after another was added, when eans were procured. I have, however, heard M. Demetz assert nviction that the same measure of moral success could not have obtained under any other condition than this of gradual devel- nt, so that, however distressing at times the want of money has the scantiness of resources, by necessitating slow growth as s the strictest economy, has had its accompanying advantages. give clearness to my subsequent narrative, I will anticipate years, and now describe the appearance presented by the little nent, under its finished aspect.

t which first strikes the visitor, as he draws near to Mettray, is bsence of all the ordinary signs of a place of confinement—no walls or massive doors, no grated windows, bolts or chains. nter by a wicket gate, which seems always on the latch, and ach a cluster of houses, having the appearance of a quiet t in the midst of a cultivated farm. On the left of the entrance s the residence of M. Demetz; on the right, the *Ecole Prépara-* Beyond these, on either side, are five chalet-like houses, occu- y the colons. On each is inscribed the name of the benefactor, ose generosity the cost of its building was defrayed; in some ces, by one person only; in others, the funds have been pro- by a city, as Paris or Tours. The modest church faces you further end of the great court or square, round which these ngs stand.

ttray is a Roman Catholic institution, admission being limited very rare exception) to the professors of that creed, to avoid conveniences inseparable in such an establishment from a plu- of forms of religion. The directors belong to that church, but omte de Gasparin, the president of the Paternal Society (who v dead) was a Protestant; and under his influence another nary was many years ago opened for Protestants only at St. bout 50 miles from Bordeaux. The numbers are much smaller t Mettray, but the family system prevails, and the arrangements

are in many respects the same. Girls, however, are there re
well as boys, as they are now also at the Rauhe Haus. At
establishment of the great Belgian reformatory at Ruysseled
in many respects of comparison with Mettray, upon whi
it was formed, female children are also received. I have
examined that institution, and I am convinced that there i
in the Mettray system which, *mutatis mutandis*, is not su
girls. The officers must of course be female, and some of
pations must be different; but open air labor (in the kitche
farm yard, etc) is as necessary to develop healthfully the
and mental powers of girls as of boys. Sewing does not er
body and mind sufficiently to be made their staple employm
house, dairy and laundry work is good in itself, and most va
qualifying them as domestic servants, for whom, when wel
there will always be a greater demand than supply. This
have heard forcibly expressed by M. Demetz, who, though he
receive girls at Mettray, has taken an active part in promoti
matories for the female sex.

On one side of the church at Mettray is a building contai
large hall which serves as a school-room, and in which are
periodical meetings of the whole colony. A corresponding
devoted to farm purposes on the other side, completes the sy
of the *coup d' œil*. The whole presents a cheerful and even
aspect, but it is the elegance of simplicity and good taste.
already stated of each house shows that economy has not bee
ficed to appearance. Other farm buildings lie near, and th
ings of the married officers are within easy reach. The puni
cells are behind the church, and so arranged that their occupa
hear and even see the officiating priest, without seeing or bei
by the congregation. Mass is celebrated only on Sunday
directors are of opinion that it is undesirable to accustom th
to a more frequent attendance at church than the habits of thei
will permit them to maintain in after life, lest, relinquishing
tice which, having been regarded as a duty, cannot be laid
without some sense of wrong doing, the conscience become e
and a still further departure be made from the course of lif
have been trained to pursue. But though there are services o
Sunday, the church doors stand always open, and whoever see
opportunity for private prayer is free to enter. The interior is
ful, but as simply arranged as possible. Its chief decoration is
of the names, in letters of gold, of the founders of the institu
this title being bestowed upon all whose donations (in one sum) am
to 100 francs. It includes the names of five former colons.

's occupy pews along the walls. One gallery is reserved for ouseholds of such as are married; the boys occupy the other and he body of the building. Here, in the midst of them, are the talls of the directors. One, alas! has now been vacant many

founders of the institution have laid great stress on the influ- of religion as affording the only solid foundation for the refor- n of criminals, and the words *Maison de Dieu* are inscribed in f the church as an acknowledgment that unless the Lord build ouse, their labor is but lost that build it. The proportion of unicants is considerable, and it is noticeable that at the approach great festivals, there is always a marked diminution in the er of infractions; but as a check to prevent applications to be ed to the holy communion from indirect motives, a double ment is inflicted on all communicants for all faults committed the week following. And with the same object in view, the in (the gentlemen who have filled this post seem to have been ellent as every other officer in the institution) wisely forbears ver asking, in behalf of any of his flock, remission of punish- however contrite the lad may appear.

houses of the colons (like all in the settlement) are detached, that they are connected by a shed, in which the boys wash elves and spend their recreation time in wet weather. When ney play in front of their respective houses, the space they may y being marked by a border of paving stones. In the great is the mast and rigging of a large vessel, presented to the by the Minister of Marine, on which lads from the coast, who kely on their discharge to follow a seafaring life are taught the uvers of a ship by a retired naval officer. In this square also ds go through their drill. Here is placed a box, inscribed *s trouvés.*" The articles it receives have not always been l in the strictest sense of the word; but by this opportunity of ing without remark what, in a moment of too strong tempta- as been pilfered, many a lad learns to listen to his conscience, in time acquires sufficient control over him to prevent his ng at all.

school room is decorated with the busts of benefactors of the tion and portraits of former colons who have done it honor. re also hangs the tablet of honor and another bearing the of all the boys who have been placed out from the colony, of I shall subsequently speak more at length. The school- ng at Mettray is limited to reading, writing and arithmetic, n some instances linear drawing. In this, as in every other

respect, the object of their training is not to raise them a
natural position in society, but to make them good and u
bers of the class in which they were born.

The farm buildings are conveniently arranged for th
strength of the young laborers, and are stocked with catt
rate breeds. The pigs are descendants of some presente
Fry and of others more recently given by Lord Leigh
models of their kind. Admirable cleanliness is observed
animals. The pigs are, I believe, "rubbed down" daily.

The infirmary stands near the director's residence. I
on the ground floor, the apartments (including the neat
of the nine Sisters of Charity, who superintend both the
and the kitchen; and above are two large airy wards fo
one of which is reserved for infectious complaints. These
ated from each other by the exercising gallery. It is glaze
side and overlooks the gymnasium, so that the poor invalids
the amusement of watching their comrades as they go thro
exercises. These are made an important part of the physi
ing of the colons, and often prove advantageous in oth
besides benefiting their health. Thus a lad, happening t
himself one day in the market-place of the town where he wa
ticed, by performing feats learned at Mettray, some admi
standers asked him to teach them to do likewise. He read
sented, and thus formed a friendship which became of much
to him. Another lad in a similar manner found his school kn
of money value. Being placed with a farmer in a remote r
trict, his fellow-laborers were moved to envy by his knowle
reading and writing, and begged him to become their teache
wrote to the colony for books suitable for such beginners, an
had many pupils, each paying a modest fee.

The whole of what may be called the domestic departm
Mettray is under the superintendence of the Sisters, and this in
(besides the infirmary) the kitchen and laundry, where howe
boys do all the work. Although neatness and cleanliness p
throughout Mettray, perhaps the Anglo-Saxon idea of comf
only realized where female influence is admitted. Certainly the
Sisters have thrown an additional charm wherever their dir
extends.

In the early days of Mettray it was sometimes objected th
pleasant a life might tempt lads to commit crime to procure a
sion. Such an instance, however, has never been known to o
nor had the objectors made themselves acquainted with the h
of the class from which its colons are drawn, or they would

ived at once that the luxuries of Mettray — namely, cleanliness, ry air and association with honest men — would be no luxuries m ; but rather, like the hard labor, humble dress, frugal fare rict discipline, the reverse of attractive. Lord Brougham, who l the colony in 1854, made this point one of particular inquiry, uld find no trace of a desire on the part of any lad to be sent

It is true that the mother of a boy in prison petitioned the ter of the Interior to remove him thence to Mettray, offering f to pay the cost of his maintenance there ; but a parent who repared to make this sacrifice for her son's moral welfare be the last to tempt him to wrong doing.

Mettray, all but the little ones, who are allowed to remain longer in bed, rise at five the whole year round. After s, at which each family assembles in its own house, they d to the great square, and, assembling in line to the sound of umpet, march (in companies, no longer in families), some into , some to the workshops, and others to field labor. The latter with them a small tent, in which to shelter from violent storms, ccasionally from the blaze of the sun, which is sometimes ous ; the friendly hedge is little known in France.

dress of all is a blouse and trousers of coarse canvas, a broad- ed straw hat, and *sabots* [wooden shoes], the garb of the est class of peasants. In winter, a flannel vest with sleeves is nder the other clothes, and over them the coarse woolen coat district, called a *limousine*. The Sunday dress is superior, ll of cheap material and plain in appearance.

families re-assemble for meals in their respective houses. ast, of bread and thin soup, or a very weak beer, manufac- in the colony, is taken at eight o'clock ; dinner, at one ; and , of thin soup and vegetables, at eight. Four times a week is meat, or bacon, or meat soup for dinner—on other days the the same as at supper. The bread is excellent, and an abun- uantity is given. Short intervals are allowed after breakfast nner, for play ; with these exceptions, hard work continues ning, when a little more schooling closes the day, and at half- ght all retire to rest. Sunday is, in accordance with Roman ic customs, a day for harmless recreation, as well as for the nance of religious and moral duties. Attendance at divine at eight o'clock is the first important act, after which a is held of the conduct of the whole colony. The families le in the great hall, the director takes his seat on the platform, is absence, the gentleman next in command. He reads aloud ort handed in by each *chef* of the conduct of his family during

the past week, awarding praise or blame, rewards or pun
as may be deserved, to each colon individually mentioned,
family collectively, according to circumstances. Many yea
additional incentive to good conduct was devised in the gua
of the banner of the colony. This is borne, whenever the
are marching in company, by that which has had the fewes
ments and has earned the most rewards, during the past
scutcheon bearing the name of the successful family, wh
precedence of all others, being affixed to the staff. The
made at the Sunday gathering, and the transference of th
to the successful family never fails to produce a profound s
"The lad," says the author of *Trois Jours à Mettray*, "wh
advance to the platform to receive it, was pale with emotion
joy of his brethren when he returned with it to their ranks,
over their usually varying countenances an expression
serenity and calm happiness, which I shall never forget
director next reads aloud the reports he has received of
duct of colons placed out, giving ample space to any
honesty or heroism, and adding such comments as they n
elicit—a very interesting proceeding to all present, who kn
their own future career will be similarly reviewed. With the
tion of a second service at church, the rest of the day, if the
be fine, is spent in drill, gymnastics, manœuvres in seamansl
various out-of-door exercises. Sunday being regarded by th
tor as a day peculiarly appropriate for rendering services
fellow creatures, the fire brigade goes through its exercises a
lads practise swimming, in both ways rendering themselve
competent to save life. In the afternoon they walk in the nei
hood, accompanied by their band. Prayer closes the day,
half-past eight all are gone to rest.

The *coucher*, as this general withdrawal is called, has beer
described: "Presently the horns sounded, and the little fami
Mary (so called because, being the youngest, the protection
Virgin is invoked for the little motherless flock) gathered fron
ferent parts into a body; their young *chef* invited me to go
them into their house, and see them go to bed. So I followed
little clattering feet (they had their *sabots* on again) up the step
the room already arranged by the elder brothers for slee
Each child took his place by his hammock, and after a mom
pause, kneeled down, while a prayer was said by the elder bro
in part of which they joined their little voices. After they
there was another moment of quiet; then, at the word of the
brother, the four biggest boys placed the poles down the middl

oom, resting them upon large hooks in the supporting posts. nother word, each unhooked and slung his hammock. 'Undress!' took off their coats and trousers, and stood in their shirts. re this, the *chef* called little Bertrand, the youngest child in the y, for me to see; and he had his little smooth head patted, and ttle round cheek kissed. I thought the young *chef* spoke to him indly as his own mother could have done. All was hushed, t the young man's voice and mine, and the little Bertrand ed afraid to break the silence, as he whispered his answers to ords. Next, they all put by their Sunday clothes in the cup- ls, and the folding, smoothing and evening them, took a long ; the elder brother waited quietly by the open window, where tting sun was shining in; presently the horns sounded again *etraite;* the little white figures turned into their hammocks, lrew their blankets round them. I wished them good night and bye, for I was going early next morning, and I went down teps with very pleasant feelings, thinking their bodies and souls well at rest after their week's good work and their day's ful enjoyment." Besides the shelves on which the clothes are (each boy having the care of his own), there are hung on the prints and other simple decorations, which have been earned ood conduct. At my last visit to the colony, I was shown a of embroidery presented by a former colon, with the condition it should be awarded to the family which should first pass a without punishment. It had been won by this same family ary, the most numerous as well as the youngest, and I saw it ir house.

the 22d of January, 1840, the first dwelling being completed, irectors themselves repaired to the prison whence they intended lect their first wards, having previously fully informed them- s (with the aid of documents furnished to them by M. le Garde ceaux) of the antecedents of the children from whom they were oose. They were accompanied by some of the officers whom they rained; one of these was M. Blanchard, now second in command ettray, described by an English visitor as having a "heart full of nilk of human kindness and the mind of a well-informed man careful student of human nature; possessing a combination of ties not often found together — much shrewdness, with a certain e of enthusiasm. Both these are necessary in dealing with boys w moral tone, but frequently with faculties almost unnaturally ened. Shrewdness is necessary to deal with such minds, trained to all the arts of deceit, while some degree of enthusiasm is red to win sympathy and carry a man through laborious work."

M. Blanchard narrated to M. Paul Huot, who reproduced
Trois Jours à Mettray, the history of the expedition; a
affords so many valuable suggestions, and moreover reveals in al
cerned so many admirable traits of the French character, that I
not forbear quoting it almost at full length. I may premise th
always rests with the director to accept or reject an inmate for
tray, and he is equally free to dismiss him after reception, if h
pleases. This admission to the colony is a privilege, and the co
are taught to regard their removal thither from prison as a mar
confidence, which they are on honor not to abuse — a position wh
they generally recognize. "Here are no walls," was one day remar
to a Mettray boy, "why don't you run away?" "It would b
lâcheté," he answered. And another, in like spirit, remarked to
chef de famille, "I could very well get away from the colo
nothing would be easier, and I have often wished to try; but thi
ing of the confidence our directors put in us, I could never find it
my heart to do it."

It must not be supposed, however, that attempts at flight are nev
made. I believe, however, that only the new comers ever try to ru
away, and so determined is the pursuit that — aided by the strict polic
regulations of the country — the colony has succeeded in recapturin
all but one. Immediately a boy is missing, a signal is hoisted — a flag
by day, a light visible far around by night — and a reward of thirty
or forty francs is given to any stranger who brings the fugitive back.

In the prison of Fontevrault MM. Demetz and de Courteilles
sought their first colons. "The governor took them into the quad-
rangle appropriated to children; these were ranged before them, and
M. Demetz, after a touching address which drew tears from the
greater part of the young offenders, called to him twelve who had
been chosen to form the nucleus of the colony. The lads stepped
from the ranks, evincing deep emotion, which rapidly spread among
the companions whom they were about to leave; one of the latter, in
particular, wept bitterly; his brother was among those selected, while
he remained at Fontevrault.

"M. Hello, the governor of the *Maison Centrale*, informed the
youths that from these gentlemen they would receive partial liberty,
as a reward for past good conduct and a ground of hope for the
future, which they would employ as a preparation for perfect free-
dom; and that MM. Courteilles and Demetz would soon return and
take away six more lads from among those who should most distin-
guish themselves for good conduct.

"The twelve who had just been chosen were taken to the infirmary,
examined, bathed, and dressed in the Mettray uniform, which their

erers had brought for them. At four o'clock, the twelve colons ed for ever the *Maison Centrale*. The purpose for which these emen had undertaken their journey becoming known throughout evrault, all who were not prisoners attended them to the gate. women embraced the boys, bidding them an affectionate fare- and giving them excellent advice; all showered good wishes and ngs on the founders of Mettray.

The governor conducted the members of the colony to the hotel n stands upon the open square of Fontevrault, and invited them repast, to which the lads were admitted who had just been con- d to their care. The surprise and emotion of these poor little vs was great indeed.

They, the refuse of society; they, picked out of the very gutter, hrown into a dungeon; they, who had shared no other bread that of the wretched or of the prisoner — they were now eating e same table with these men of noble demeanor, whose dress ated an elevated social position, whose decorations revealed their nal merit. They were no longer utterly worthless, since free men of the world and of the highest distinction, treated them others. Thus they were at once raised in their own eyes, and feeling, new to them, of self-respect went far towards making respectable. This was what their new guardians desired. It fact the magic ring with which they work such marvels.

At ten o'clock at night, in the midst of the friendly population who stationed themselves before the hotel and remained there during whole evening, the future colony quitted Fontevrault, followed ie acclamations of the multitude, who so easily comprehend *une pensée, une bonne action*. Thus, on another occasion, when thirty ren were brought from Besancon to the colony, throughout that journey, most of the proprietors of the inns where they stopped utely refused to be paid for their food and lodging; it was st necessary to use violence to make them accept their due.

The party pursued its way in two carriages, one belonging to M. Courteilles, and another which had been hired; it was one of brilliant winter nights peculiar to our climate; a clear atmos- e, a cloudless sky, a splendid moonlight, but neither ice nor ; the carriages rolled smoothly along the bank of the Loire, e majestic waters glistened like silver, as they flowed in the deep ce of night.

The gentlemen, whose thoughts were full of the greatness of their prise, without being occupied with its difficulties or with the ule which they foresaw and faced courageously, were admiring spectacle of the beauties of nature, so full of poetry. One of them

observing the motionless attitude of a youth placed near him, he was asleep, but looking at him more closely, he saw that were wide open. 'You are not asleep, my little fellow?' 'I am looking at the water!' 'Well, how do you like it, do y it beautiful?' 'Oh, yes, sir, it is very beautiful, and especiall who have seen no water for four years besides what I hav drink.' Poor child! how concise and striking a picture of th tions of a prisoner do these few words convey! What poet, a captive relate the sorrows of captivity, would not rejoice found such an image?

"We offered up prayers in the deep and impressive silence lovely night, throughout which the colons never for a single closed their eyes. They devoured with them every object al road; a cart, a boat, a cultivated field—all were objects of to them. The gentlemen constantly reminded them that the entering on a new course of life, that all knowledge of the p buried at Fontevrault, that at Mettray their present conduct would be taken into account, and that they must direct thei and their aspirations to the future.

"At ten o'clock on the following morning we reached the where the various officers awaited us; our reception was most and brotherly: we repaired to the chapel, where M. Brau excellent chaplain, celebrated mass; he afterward addressed th comers in words of piety. All then betook themselves to the built house in the colony, where M. Langlois, formerly a se installed the young members of the first family, of which he estimable chief. He made their acquaintance at once with admirably appropriate words. 'You are freed from slavery,' h to them, 'and I hope you will deserve your liberty.' The rema of the day was passsed in exercises, in which all the pupils fro *Ecole Préparatoire* joined; their sweet and correct singing prod a lively impression on the colons.

"The latter took part in evening prayer in the chapel. At past eight M. Langlois ordered the manœuvre of the hammock it is performed on board ship, and the colons went to rest at o'clock. Every thing throughout the day had been a cause astonishment; we rarely caught any other expression on their f than that of surprise; still it was easy to perceive that shame embarrassment were predominant feelings, and it was almost im sible to excite a smile."

An interesting incident, connecting Béranger the poet with M tray, occurred as the memorable journey from Fontevrault proached its close. He resided at Tours, and as the little process

ed his house, he opened his gate and invited all to enter. Thus he the first free man — their benefactors excepted — who greeted ittle fellows — prisoners yesterday, now colons of Mettray. Him- of humble origin, and having in early life known something of misery Mettray was designed to relieve, his sympathy for its tes was strong, and he had been one of its earliest supporters. y one of the colons first admitted, it is pleasant to know, be- d well from the time they reached Mettray, the change in their ment appearing to produce an almost marvelous alteration in conduct. An improvement was likewise observed even in the who remained at the prison, which continued as long as the rule ailed that those who behaved best should be eligible for removal ettray. A less enlightened governor, however, succeeding the who had made this wise regulation, was so short-sighted as to e to part with his best boys, and the stimulus to good conduct g thus withdrawn, it naturally declined.

ward the end of February, M. de Courteilles brought four is from Normandy, and early in March six more accompanied Demetz from Paris. From month to month, new colons were ually received, until, by the end of ten months, eighty-four chil- , with a proportionate number of agents — then about one to five ns — were settled in their respective homes. Had all been located er one roof, this rate of increase would have been far too rapid, distributed in distinct dwellings, any risk of evil consequences obviated.

is not thought necessary, nor indeed would it be possible, to g all the lads who come to Mettray with the same degree of mony as was observed on the journey from Fontevrault; but first impression made upon them by the new discipline to which are subjected is considered a matter of the highest importance, an officer from the institution is invariably dispatched to accom- y the boy whose happy lot has consigned him to Mettray. Thus knowledge of the child's character, which it is desirable to have re classing him, is obtained not only by diligent inquiry into his cedents, but also by the officer who escorts him, giving full e during the journey to the bent of his character, and, if pos- , acquiring his confidence. On the arrival of a new group, it ispersed widely among the existing families, that any unfavora- influence the new comers might exercise may be as little concen- ed as possible; and that the old colons may, by their example advice, predispose them to follow in their track. In thus dis- uting them, care also is taken so to associate the members of each ily, that, coming as they do from all parts of France, and pos-

sessed therefore of very different temperaments and dispositions shall harmonize and act upon each other with mutual benefit. the excitable Parisian or the fiery child of the south is himself c by the stolid Breton, whom, in his turn, he inspires with some of liveliness. Of the *espiéglerie* of the quick-witted Parisia following amusing anecdotes were related to my sister by M. D One of the masters of Mettray was giving a lesson, in the cou which he asked a Parisian lad how many prefects there w France; he answered, "Eighty-seven." "You have made take; there are eighty-six departments, and consequently eigh prefects." The youth replied, "No, monsieur, there are e seven." The teacher, somewhat ruffled by his pertinacity, "Do not contradict me; you should believe what I tell you." boy persisted that there were eighty-seven, and evidently was by his answers to make his teacher angry. When the *gami* that he had produced a little excitement, he explained: "Yes, sieur, eighty-seven; for there is the prefect of police, as well a others; and as he is the prefect who has taken so great an inter me, I could not possibly forget him."

Another of the children, the son of a soldier who had foug many of Napoleon's campaigns, was very fond of relating his fat exploits; and when any battle was mentioned, always said: ' father was there." One day, in the class, the Crusades were sp of, when one of the lads, a Parisian, said to the teacher, "Ask so- so if his father was not at the Crusades!"

Classification by age prevails only to this limited extent, that very young children are located in one house; as they advanc years they are drafted into other families, where they remain. W the exception of these very young boys, it is a rule, that, once admi to a family, the colon is never removed to another. On the contr every method is employed to strengthen his attachment to it, and completely does he become identified with it that if, after quitt the colony, hé returns (as all are allowed to do) for shelter during ness, or when out of work, it is to his own family he repairs; and when revisiting Mettray, on Sundays and other holidays, it is amo his brethren that he takes his place. Thus, not rarely a dashi young soldier may be seen in the humble ranks of the colons, helpi them, may-be, to get into the perfect order he has learnt to app ciate. A regiment of Chasseurs, in which a Mettray lad had enliste being sent into garrison at Tours, the first leave of absence he o tained was of course spent on a visit to the colony. It so happene that on that very day the general of division, Comte d'Ornano, w there too, intending to review the youths as he often did. Th

young soldier proudly took his place in the ranks of his former family, when, recognizing him as belonging to one of the regiments under his command, "Ah! you are from Mettray?" said the Count. "Yes, general, and it is happy for me that I am, for it is to Mettray I owe my uniform." "That's well, my lad. I am pleased to hear you say so. The time you passed here shall count in your promotion. You could not have been in a better school. Mettray makes as good soldiers as she does workmen."

A slight change was made some years ago in the staff attached to each house. In place of the two *contre-maitres* [industrial teachers], a *sous-chef* (a younger man in training for the higher office) assists the *chef* or head of the family, and superintends the twenty younger boys. These officers hand over their charges in the morning to the *contre-maitres*, who now, equally with the superior officers, must have passed through the *Ecole Préparatoire*. The elder brothers, elected by ballot quarterly by each family from their own body, are liable to be vetoed by the directors; but so justly do the lads appreciate character that it has hardly ever been needful to annul their choice. They are intended to form a connecting link between the boys and the agents. As boys, they sympathise with the former, entering into their feelings in a way that older persons cannot; at the same time, their official position puts them on the side of their superiors, who can exercise, through them, a kind of influence which they could not exercise immediately.

The elder brothers are distinguished by a scarlet badge worn on the left arm; they aid the *chef* and *sous-chef* in maintaining the discipline of the family. Although if any wrong doing comes to their knowledge, it is their duty to communicate it to their superiors, they are expected rather to watch over the other lads and prevent them from going astray than to wait until offences have been committed, and then report them.

Bearing in mind, doubtless, the excellent effect which the erection of their dwellings with their own hands had had in attaching the young out-casts of Hamburgh to the Rauhe Haus, the directors of Mettray employed the first colons in laying out gardens, levelling the open courts, and building more houses. Within the first year of their arrival, some neighboring vine dressers asked leave to hire some of the lads, which was granted when the applicants were respectable men and lived near enough to the colony to allow of strict supervision by the authorities at Mettray.

Most of the colons having been employed in weaving while in prison, their health, originally defective, had been much injured by bending over the loom, and consequently many reached Mettray in

a deplorable state of disease. The open air life, however, p
a rapid improvement, and was so beneficial that it becam
ever since observed, to select sickly lads from the prison
accounts for the delicate appearance of many, and for the de
which is somewhat above the average for their age. It amo
the early days of the colony to two per cent per annum, but f
years past it has not much exceeded one and a half per cent.

The laborious life pursued at Mettray necessitates a larger
of animal food than had sufficed in prison. Still the die
always been kept as low as is consistent with health, b
economy's sake, which the funds of the institution make it i
sable strictly to regard, and to avoid elevating the positio
criminal child above that of the honest in his own rank
Whether any practical notions of sensual luxury are to be
within the limits of Mettray, may be judged from the fact
average cost per diem for each colon is as follows: Boa
clothes, a considerable fraction less than 1¼d.; fire and light,
penny; washing, $\frac{4}{10}$ of a penny.

The sleeping accommodations can hardly be considered lu
even when compared with the filthy dens in which the
populations crowd together for the night, at least not to the
persons of that description.

It is universally agreed that English boys would not reta
health on such a dietary, and visitors who have been there in
remark on the chillingly light appearance of the clothes. Th
of the directors, it has been well said, is "to combine unbound
sonal kindness with a rigid exclusion of personal indulgence.
board of the agents amounts only to 7d. a day; yet their fruga
are often shared by M. Demetz, who is in the habit of associa
much as possible with his young officers, when there happen
no guests under his hospitable roof. The working dress of the
is, as indeed the amount expended per head in clothing indica
the humblest description, but so made as to leave the limbs f
healthful development. Though peculiarity is avoided, it is
ciently different from that worn by the surrounding peasa
ensure recognition, should the wearer cross the boundary
colony, where, it will be borne in mind, are no walls to confin
The lads are taught habits of care by obtaining a small reward
they make their garments last longer than the prescribed p
while, on the other hand, if worn out or spoiled before their p
time, the deficiency has to be supplied out of the pocket of the w

In the first report, allusion is made to the *tableau de la bonn*
duit, a designation soon changed for that of *tableau d'honneur.*

well known feature of Mettray (which has been copied, always with great advantage, in some English reformatories) exercises a potent influence over the well doing of the colons. It is a severe test of good conduct, since no name is inscribed whose owner has not passed three months entirely without punishment (a stroke upon the hand with the ferule, administered for trifling offences, alone excepted); and punishment, be it remembered, surely follows the commission of the least fault. The tablet thus affords an excellent guide to employers in selecting servants, and partly perhaps for this reason, but far more, as I believe, from a meritorious desire to stand well in the eyes of their world, inscription thereon is an object of high ambition to the colons. One obvious and very convenient result, in so large a population, of thus recording the names of the well conducted, is, that in case of any favor being asked, by reference to the tablet of honor, it is at once seen if the applicant is in a position to deserve it, the non-appearance of his name there being sufficient evidence to the contrary; and in like manner boys are selected for special service — such selection being itself esteemed an honor. But for employment implying great confidence, a still higher test has of late years been devised. After a year of exemplary conduct, a white stripe is accorded to be worn upon the sleeve; a second wins a blue stripe; at the end of the third a red stripe is added. The tri-color, so justly dear to every Frenchman, becomes thus a threefold record of the wearer's trustworthiness — a badge of honor indeed, which marks him, without any other testimony, as deserving of the highest confidence.

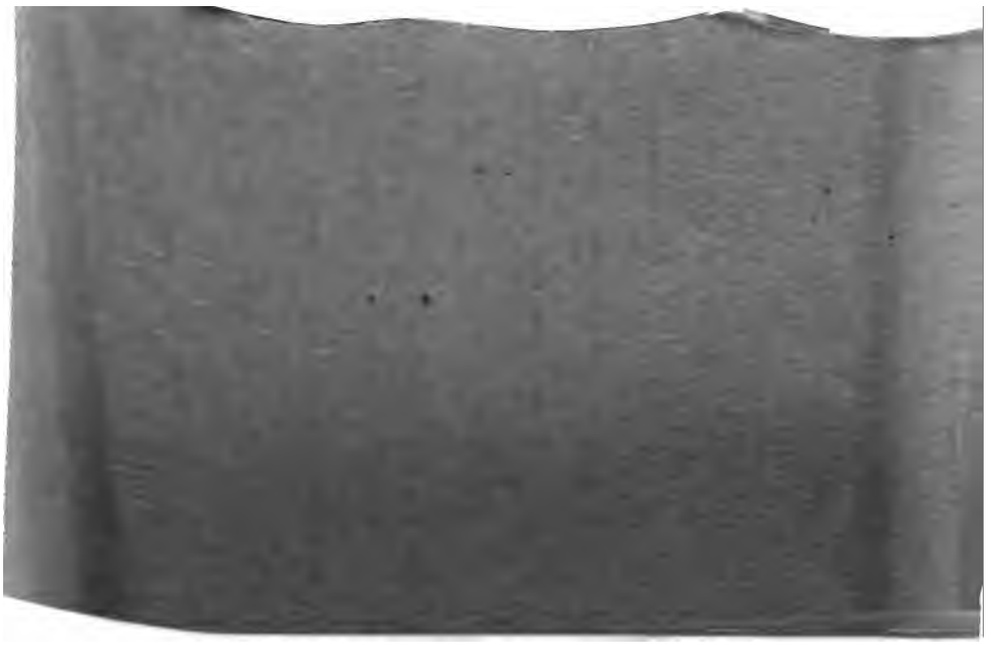
Many motives are brought into operation at Mettray, to promote the end in view. Good conduct is of course rewarded, and its opposite punished. There is nothing new in a resort to these principles; it is made everywhere; nevertheless, much may be learned in studying their skillful application at Mettray. But Mettray would be very inferior to what it is, were the selfish interests alone regarded. Let the inquirer mark the constant appeal to the highest feelings, temporal as well as eternal. In fact, every variety of mind is wrought upon by every variety of good motive; none of them violent in their action, but none of them for a moment relaxing their influence. Thus the habits of an idle and vagabond life are gradually changed into those of settled industry, and an amount of labor (profitable labor be it remembered) is got out of the lads, which would be yielded to no amount of severity; labor, too, full of pleasant associations, and gradually producing habits which secure the crowning result — permanent reformation.

An appeal to the sentiment of honor is made under many differing forms. It has been seriously objected to by some professors of crim-

inal discipline, as an unworthy motive to virtue; yet, excepting t of religious duty, which takes precedence of all others at Mettray know none which is less sordid, nor, as it is there interpreted, m unselfish. A strong feeling of personal honor, that is to say, freed from personal reproach, is, indeed, inculcated; but, owing to t *esprit de corps* which is seduously fostered, first the honor of family, and ultimately that of the whole colony, of which he is but minute fraction, is hardly less dear to the Mettray lad than his ow Sensual gratification, in the form of better food or Sunday puddin surely appeals to a far more ignoble side of our nature; while ar reward by which the recipient alone is benefited can hardly avoi the risk, in a greater or less degree, of nourishing a spirit of selfish ness. Captain Maconochie — who, in his profound knowledge o human character, his faith in the possibility of its retrieval from eve the lowest degradation by an appeal to its nobler part, and the skil and self-devotion with which he devised and applied the method of such appeal, strikingly resembled the directors of Mettray — was deeply impressed with this danger. To escape it, he availed himself of the law of mutual responsibility which God has imposed upon his children, but which those of us to whom it falls to exercise power over our fellow creatures are apt entirely to overlook.

It has been too often the rule, when we put a man in prison, to compel him to pursue a course of uninterrupted selfishness. The consequence of every positive offence or passive omission, falls on his own head alone, and the reward of every effort in the path of right is sweetened by no partition with another. Captain Maconochie divided his prisoners into little groups, whose members suffered or profited in common by the bad or good conduct of each, just as in that natural group — the family — all must be injured, and all be benefited, by the acts of the individuals who compose it. And so at Mettray, each little household loses or gains in accordance with the appearance of the names of its inmates on the tablet of honor. Thus every body feels that, in avoiding punishment, he is saving his family from reproach; and, in winning for himself inscription, he is gaining for his companions an honorable advantage. The number of names thus inscribed was in the first year already considerable; it gradually increased, and for many years the tablet has borne those of nearly three-quarters of the colony.

The punishments employed at Mettray were originally: erasure from the tablet of honor; detention within doors; compulsory labor; bread and water diet; imprisonment in a light cell; and imprisonment in a dark cell. The cells are so substantially built that it is hardly possible for them to be injured by any efforts of the prisoners,



and the dark cell is so arranged that detention therein is a very severe punishment indeed. Recourse to it is seldom necessary, but the knowledge that it can be inflicted has a most useful effect upon the boys. M. Demetz's theory of punishment is, that the object of it must always feel that your power to inflict is greater than his to endure; that into whatever suffering he is plunged, he may be sure a lower depth awaits him if he does not mend his ways. "*Pour moi j'aime la sévérité*," M. Demetz lately remarked to me. I could not forbear a smile, and yet it is true that the discipline of Mettray, like the knife of the surgeon, never stops in its course until the gangrene is eradicated, if to eradicate it be within human power. Still this very severity is administered with such unlimited personal kindness, that the dullest and most perverse natures, sooner or later, recognize the spirit of love which guides the infliction.

Handcuffs and even a gag, to be worn in the cell, are always in readiness and known to the colons to be so, and, though seldom used, there is no hesitation in applying them when needed — when, for instance, the offender employs his hands destructively, or when he shouts forth obscene language, or otherwise breaks rules with his speech.

The restraining instrument is put on with all possible gentleness, while the lad is reminded that hands were made to be useful and mouths to utter wholesome words, and that it is only when he abuses these gifts, that he will be deprived of them. Recommitment to prison is treated as the heaviest punishment of all, but it has very rarely been found necessary. When resorted to, the utmost solemnity is observed. The *gens d'armes* (who are the officers of justice) arrive; the whole community is assembled. The director recounts the exertions which have been made for the amendment of the culprit, his repeated offences, the gradual extinction of all hope of his reformation, and the dire necessity for abandoning him to his fate. He is then reclothed in the prison dress, his hands are pinioned, and he is led away from Mettray never to return. But even among cases in which this extreme course has been pursued, instances have occurred in which the good seed sown at Mettray has subsequently borne fruit. The boys have behaved well in prison, and conducted themselves honestly in after life. One poor lad met with a different fate. He had a propensity for thieving and concealing what he had stolen — often objects of no value to him — which it was impossible to overcome. Consigned over and over again to the cell, he was no sooner discharged than he began to steal every thing he could lay his hands on, and even within the cell itself the passion was so strong that he hid the straw given him to plait in his *sabots*. At length he

was expelled. After his removal to prison, a letter of reproach written to him by one of his family. "Do you know," said writer, "that your aged father sits with his head sunk upon breast, and that he has never raised it since the day of your honor?" The boy read the letter, he felt the blow, he pined a and died broken-hearted!

Some years after the opening of Mettray, it was found necessary introduce the slight corporal punishment for minor offences alre mentioned, namely, a blow on the open hand from a small leath ferule. It is, however, rarely inflicted on any but the younger childr like other punishments, it is never administered except by M. Deme or, in his absence from home, by M. Blanchard — never at the mom of the offence; and is always accompanied with calm admoniti Both are assured that it creates no ill feeling, and not a murm against it has ever been heard. It does not involve, as other penalti do, erasure from the tablet of honor, and great care is taken that it sh in no way degrade the recipient. It was substituted for the limit tion to dry bread which, where the diet is as low as it can be fix consistently with the health of laboring boys, was found instantly depress the strength below the labor point, especially as punis ments, though falling but on a small class, are, as regards that clas often repeated. Not only this, but every other form of punishmen is preceded by opportunity for reflection by both the offender and th offended. In the report for 1841, the directors say, "Before inflict ing any of these punishments, we have invariably recourse to a pre liminary measure, of which the advantage is so great, that we cannot pass it unmentioned.

"If punishment is to produce a salutary effect, it is imperative that its object should submit himself to it unresistingly, and indeed that he should be the first to feel that he has deserved it. To impress this conviction on the culprit's mind it is, in the first place, neces- sary that the penalty should be inflicted in a calm and gentle spirit, and be dictated by the strictest justice — that power of reason which convinces while it commands, as one of our excellent magistrates has so well said; secondly, that both he who inflicts and he who receives chastisement should be perfectly cool. It is impossible that these conditions should exist at the moment when a serious offence, naturally exciting indignation, has been committed; and therefore our masters are desired, when they have a complaint to make against any boy, to send him to the waiting-room (*parloir.*)* This is, in fact, our *salle de dépôt*, but we avoid the use of every term

* The room to which the boy is sent is now called the *salle de reflection.*



hich would recall the prison to the minds of our lads. Being sent
› the waiting-room never prejudices the boy's case, and consequently
e goes there willingly. Directly this step has been taken, we are
ıformed of it, and we have then plenty of time to refer to his ante-
edents and institute an inquiry if we deem it necessary.

"During this delay the culprit begins to reflect on what he has
one, the master becomes cool, we have time to consider the circum-
tances of the case, and to consult together; and when at length we
ıecide the matter in perfect calmness and thoroughly acquainted
vith the whole affair, we are sure that justice is administered in a
›aternal spirit."

On the important question of the efficacy of different penalties, the
lirectors remark: "Of all the punishments which, unhappily, we
ıre under the necessity of inflicting, we must confess that the cell
ılone exercises a moral influence; all the rest, such as dry bread,
›eing kept in on Sunday, etc., have a useful effect only on children
ınder nine years of age, and always irritate older lads. Our officers
have been struck with the change that seclusion in the cell has pro-
duced in the most obstinate dispositions. Indeed, our colons them-
selves have expressed their opinion of it in very plain terms, and
their authority in such a case is not to be despised. 'As for us,'
they say, 'we would rather have a whipping, but the cell does us
more good.'"

The directors point out the error into which some persons have
fallen, in supposing that because such success has been obtained at
Mettray with the boys in association, separate confinement should
therefore be done away with. It is, they say, not opposed to their
system but in perfect harmony with it; and indeed its indispensable
complement. They cite the example of the United States where,
they remark, children, before entering institutions analogous to Met-
tray, are subjected to a shorter or longer term of separate confine-
ment; there the turbulent spirit is laid, and the mind prepared for
religious and moral instruction, and for adopting a new course of life.
They insist that this imprisonment should be sufficiently severe to
make the change to the reformatory welcome, and to create a whole-
some dread of relegation to gaol. Some of the Mettray boys, who
have come thither from a prison where they had light occupation in
a well-warmed workshop, have been disgusted with the out door toil
and hardy fare, and (before they have been at the colony long enough
to discover the charm which sooner or later it exercises over all)
have begged to be sent back to prison — a frame of mind wholly un-
favorable to reformatory influences. Latterly such lads have been
placed in the cell immediately on their arrival, and allowed to work

he alarm bell, the noise of the engine and the quick steps of his chool-fellows hastening to the rescue. By his wrong-doing he had st the privilege of aiding them in their benevolent efforts. "It curred to me," said M. Demetz, who related this anecdote to M. onneville de Marsangy, "to go and question the lad, who had itherto been reserved and intractable as to his feelings, and I ac-rdingly entered his cell. 'Well,' I said to him, 'you are the only ne in bed, while there is a whole village threatened by fire, and our brothers are bravely encountering the fury of the flames.' 'I avn't refused to go,' he sobbed out, 'there is nothing I should like tter; but I am shut up. Only let me out, and you will see if I am t as brave as they are.' I was disarmed; and it was not many inutes before he was at the scene of the disaster. Toward morning r colons returned, having vanquished the fire. Only one was issing; it was my little prisoner. What had become of him? ad he taken advantage of his liberty to run away? No; in the dor of his self-devotion he had been seriously hurt, and the inhab-ants of the village who had witnessed his courage, themselves in-sted in carrying him home on a litter. He in fact had been the ro of this perilous night. "And are you interested," added M. emetz, "to know what has become of the brave little fellow? He now one of the best of husbands and fathers. He came to me Mettray, bringing with him his wife and children, and what he sired above all things was to show them the cell in which he had en confined that memorable evening."

The brigade is kept in constant efficiency by frequent exercise. It is the custom," says my sister, in a published account of a visit e paid to Mettray in 1855, "for this brigade to practise its duties a Sunday, the directors considering it a day to be especially voted to occupations which will benefit our fellow creatures. On e Sunday which we spent at the institution, there had been a ligious procession in the morning — in honor of the *Fête Dieu* Trinity Sunday) — which had occupied so much time that the igade were to have rest that day. But as we were not likely to ve another opportunity of witnessing its performances, M. Demetz ry kindly caused it to be called into action. The only signal cessary was an *alerte* sounded on the trumpet. In a few moments e saw a number of the colons hurrying to and fro under their brass lmets, then more appeared, some drawing the engine, others the e escape. The gymnastic teacher took the command. The house hich was feigned to be on fire having been pointed out, the engine opped before it. On its arrival, some of the colons formed in line a pond in the centre of the great square, while others, by means

tely neglected, and it is necessary that every thing should tend, even the smallest details, to promote the object we would attain. The rds of the chaplain, the associations of the place, the solemnity of service, the harmony of the chanting, should all operate together the child's heart, reaching it through his ears and eyes.

'The munificence of Count d'Ourches, by enabling us to build h a school room and a chapel, has put an end to our difficulty. a former donation of 10,000 francs he has now added 130,000.

'We have already succeeded in destroying, or at least in weakng, to a great degree, the spirit of combination which our colons l acquired in prison. Now, any one who does wrong is blamed his companions, and incurs their displeasure. We feel assured t we have reached the point when the good operate on the bad, l that our lads are the first to repress the wrong acts committed ong them. Lately they obliged a comrade, who had behaved ill, eturn a book which he had received as a reward. On a former asion, they demanded the expulsion of one of their number, say- that they did not like to retain among them an individual who graced them all. Another time one of them told us of some misduct which had occurred in the infirmary. It was endeavored in n to ascertain who had informed us, when the lad stood up in the ddle of his companions and said in a loud voice, 'It was I, and I not afraid to own it.'

'At the last election of elder brothers, they at once selected a on who, having vainly urged one of his companions who had n guilty of some fault to acknowledge it, came openly and ormed us of it himself. Sometimes the culprits themselves tell of their offence; but, it must be confessed, such an event is very e.

'Six months ago the Abbé Fissiaux, who is now at the head of the icultural colony at Marseilles, having come to visit us, asked the s to point out to him the three best boys amongst them. Their s turned instantly toward three colons, whose irreproachable conct placed them far above the rest. He then applied a more delie test, and one which rather alarmed us, not knowing what might the result. He asked which was the worst boy. We expected t a certain lad would be pointed out by his companions, for there s no doubt on whom the choice should fall. All, however, nained motionless, until at length one came forward with a pitiful and said, in a very low tone, 'I am.' The worthy Abbé emced him affectionately and said, 'What you have just done conces me that you are mistaken, and I do not believe you on your rd.' From that time the child has behaved tolerably well, which

is a great improvement on his former conduct." He has s become a respectable soldier.

"Another fact, proving the good spirit which exists among boys, and the happy influence exercised over them at the colony, that when a serious offence has been committed by any of the that very instant their games stop, they become silent on the pl ground, and for many days afterward not the slightest fault calls punishment.

"We endeavor to foster a spirit of charity in our lads; for any o who has had an opportunity of practically comparing the anguish mind consequent upon a bad action, with the sweet and holy pleasu which a good one leaves behind, can scarcely relapse into evil way We read to our colons an account of the disaster caused by the inun dation of the Rhine, and several of them who had relatives at Lyon proposed, in order to send some help to those who had suffered fro the floods, to give a portion of the savings they had brought wit them from prison. The others wished to follow their example, an only regretted our attempt to moderate their eagerness; they wanted to give away all they possessed. Besides the sum we permitted them to bestow, we proposed to them to go without a portion of their food one day, and to add the money thus saved to the amount already subscribed—to perform, namely, by enduring the fast, an act of what has been rightly called *corporal charity*. This suggestion was received with delight by all but one, who murmured at the plan. His companions punished him for his conduct by condemning him to eat his full share seated alone at table; and he was so severely reproached for his selfishness that we think he is thoroughly cured of it. Perhaps this incident may induce the belief that the lads were carried away by general feeling, or that they yielded to external impulse. The following fact will prove the contrary: Very lately one of them, having adopted the evil counsel of a workman who happened to be employed at the colony, was put into the cell; on coming out, he was told that the workman, who had a family to support, had been sent away, and that, perhaps, he and his children were without bread to eat, when the boy, deeply moved, exclaimed, 'Let them give him every thing I have.'"

In the same report from which I have just quoted, the fact is mentioned that the colons work in the kitchen garden, surrounded by fruit without ever touching it. I have myself seen the strawberry beds covered with ripe fruit in the director's garden, which is cultivated by the colons.

In the year 1841, an important change was made in the school arrangements. Originally all the lessons were given by the school-

naster, with the assistance of monitors. It was found, however, to e impossible, with such large numbers, for him to address himself ndividually to his pupils; the monitors were in fact the teachers, nd the master did little more than keep order. By the new arrange- nent the *chefs* and *sous-chefs* give the lessons to the members of their wn family, while the schoolmaster, passing from class to class, ani- nates, directs and superintends the whole. The *chefs*—themselves ell-educated men—make excellent teachers; and their presence reventing the breach of rules, which otherwise so large an assem- lage of boys would have opportunities of committing, the number of ffences has been reduced to a surprising extent. While there had een twenty-four instances of punishment during six months, under he old arrangement, a similar period after this change afforded only wo.

In 1842, we learn that nine colons were now placed out in the world, nd were all doing well; but one at least had had a severe struggle ith himself to overcome the effects of early neglect and evil exam- le upon a most perverse disposition. "He was consigned to the ell seven times during his stay at the colony, his seclusion amount- ng in all to a period of five months. Shortly before his liberation, e seemed to delight in annoying the *contre-maitres;* and at last, ust as he was about to leave, he infringed the rules, thereby incur- ing punishment which he refused to submit to, saying he was going o be set at liberty. We replied that no one was at liberty to do rrong, and that we should send him to the cell on bread and water iet, and keep him there until he was reformed. For two months ve kept this lad thus under our care, seeing him daily and striving o convince him that his true interest made it imperative on him to mend his conduct, and to perfect himself in his trade as a shoe- naker, that we might be able to apprentice him when he was fit to e at liberty. This short but severe struggle resulted in our gaining he victory. His intelligence enabled him to perceive that efforts so ersevering must be disinterested; overcome by us, he begged as a avor that he might be permitted to remain in the cell until he hould so far have learnt his trade as to have such a pair of shoes of is own making to show to the shoemakers of Tours as would secure im a good master. We granted his request on condition that he vould not leave the cell, and would work there industriously at his rade, telling him at the same time that he was free, and that his wn wish alone detained him. The key of the cell was given to M. ——. He passed three weeks there, faithful to his word, work- ng so diligently and with such right feeling that we had at length he pleasure of placing him with one of the best shoemakers in

Tours, where for six months his conduct has been irreproachal His neighbors rejoice to see him in the shop of the excellent m who has received him into his house; he comes to pass almost eve Sunday he can be spared at the colony, and is improving rapidly his calling. Indeed, there is every reason to hope that his reform tion is permanent."

In the report, dated 1845, is first mentioned a table called *tablea d'apprentissage*, which hangs against the wall in the school roon "It contains the names of the colons who have been apprenticed together with those of their patrons, their place of abode, and th information which is sent us every three months respecting thei industry and moral conduct. These are read to the assembled colony whenever any new facts have been entered. The fear and the hope of having their names there quoted, with evil or good tidings, exercises a powerful influence over the youths, and this publicity produces an equally good effect on strangers. Patrons who come to the colony see the information, which they themselves have transmitted respecting their wards, copied word for word on the wall of the school room, and thus they can convince themselves of the truthfulness of our mode of proceeding."

The "patrons" here spoken of are benevolent persons, who interest themselves in the welfare of discharged colons. The surveillance exercised by the Patronage Society, already mentioned as founded in 1833, was maintained for only three years after the ward's liberation. M. Demetz found this did not suffice, being often withdrawn while the object of it was yet too young to be left without some friendly guidance. He therefore instituted a new society, free from this restriction, in connection with Mettray, rarely allowing any of the numerous visitors to depart without inviting them to become members, or *patrons*. The office is purely honorary, and is filled chiefly by persons of the upper classes. So freely has his appeal been responded to, that the directors say to whatever part of France, however remote, one of their lads may go, they have no difficulty in finding for him a patron, who visits him in his place, advises him in difficulty, and in every way affords him his countenance and protection, meanwhile reporting his conduct periodically to them.

The following is a specimen of the form filled up by the patron in transmitting his report of his ward's conduct. Information so minute, obtained at short intervals, of every colon placed out, enables us to accept, with perfect confidence, statistics relating to the numbers reformed, while a surveillance so constant and so friendly goes far to account for these statistics being so favorable.

'he questions are those sent in the formula; the answers are those ly returned by a patron in reference to a colon who had been renticed:

Does he perform his religious duties? Invariably.

Does he repeat his prayers morning and evening? Regularly.

Does he go to church? Regularly.

Is he diligent? Yes.

Does he shew intelligence? Rather good will than intelli-ce.

Is he obedient? Nothing to find fault with on this head.

Is he civil? Always.

Is he careful of his personal appearance? No.

Is he economical? Yes.

What different occupations has he been employed in? Until v, he has been employed only in field labor, but his father, not-hstanding ill health, being obliged to work at his trade as a car-ıter in order to support his five children, now employs him to rk with him, he being himself very weak.

Does he occupy himself sometimes in reading and writing? s.

What books does he read? Religious, moral and instructive rks.

Does he attend an adult school? He has neither time nor oppor-ity.

What are his leading tastes? None that are evil.

What are his most striking characteristics? Goodness of heart, dience, gentleness and civility.

Does he hear from his family? He is now living with them.

How does he spend Sundays and fête days? At church, in king, or with his family.

Has he any friends or connections? None.

What character do the persons bear with whom he associates? associates only with his father, who is poor, but honest.

What are his wishes for the future? To learn to work so as to p his father.

Does he think of the colony? Constantly.

Does he acknowledge the benefit he received there? Yes.

In what manner does he speak of it? With the warmest grati-e.

Has he been ill? No.

What is the behavior and character of the people for whom he rks? Before working with his father, he was with very excellent ple, who employed him in field labor.

"Do they perform their religious duties? Yes.

"Particulars of his conduct, whether good or bad? In co
quence of a long and painful illness, his father had fallen i
extreme destitution, which still continues. Accustomed to the
of tobacco, he had been obliged to forego it, his utmost means bei
needed to obtain food for his family; when, on the 1st January, t
lad, having received a few *sous* as a New Year's gift, hastened wi
them to his father, who however refused to accept them. You
former pupil went then himself to exchange his *sous* for som
tobacco, which he brought to his father. The latter wept whil
relating, only yesterday, this kind act of his son."

As regards Paris, whither a considerable proportion of the liberated
colons repair, the duty is more onerous than in the provinces, and
there one noble-minded man specially devoted himself to the task of
surveillance. This was Paul Louis Verdier, of whom it has been said
that he concealed the good he did with as much care as others take to
divulge such deeds. When Mettray was founded, he was a young
barrister, practising in the capital, and, though possessed of but
small private means, he relinquished his profession, and passed the
remainder of his life in rendering his best assistance, wholly without
remuneration, to MM. Demetz and de Courteilles. Under the title
of "*agent général de la colonie de Mettray*," he conducted the busi-
ness of the institution which had to be transacted in Paris, besides
watching over all the lads placed there. His cheerful and persever-
ing disposition peculiarly fitted him for his onerous task. He labored
at it with only too great ardor. In May, 1858, he died of brain
fever, the consequence, I believe, of overexertion, after a few days
illness, at the age of 52. He was followed to his grave by all the
colons then in Paris, and several of the officers from Mettray — M.
Demetz, who had watched by his death bed, pronouncing the cus-
tomary funeral *èloge*. "Distinguished alike," said the speaker, "for
his noble intellect and generous heart, he thoroughly appreciated the
need in which his young wards stood, in their endeavor to regain a
footing in society, of encouragement and support. To secure their
restoration, the one object of his desire, the sole reward of his exer-
tions, he shrank from no effort, he neglected no opportunity for
placing his lads, in accordance with their aptitudes, to the best pos-
sible advantage. If, from that disinclination to settle, that love of
change excusable perhaps to some degree in the young, they did
not remain in the workshops to which he had procured their admis-
sion, M. Verdier was not disheartened. He placed them a second
and even a third time, and by dint of his perseverance — one might
almost call it his obstinacy — he ended by wearying out their un-

eadiness. And thus for eighteen years has M. Verdier labored ith admirable zeal, though well nigh worn out by fatigue. How ften have not we, who had the happiness of living in intimacy with im, seen him come home in the evening utterly exhausted and most broken down, but satisfied if he had but secured the well- eing of his adopted children, and ready to begin again the next orning. * * * * * * But I must not, after having spoken you of his deeds as a philanthropist, pass by in silence his excel- nce as a citizen. In those terrible days, when revolt threatened ır holiest institutions, he was seen hastening to don once more the niform of a national guard, and answer to the summons of his periors in command. As long as the struggle lasted, he was found the foremost rank, courageously risking his life in the maintenance order, but when this at last was restored, he returned quietly to s home, laid aside his arms, and resumed his accustomed occupa- on, soliciting neither advancement nor reward. The cross which ou saw upon his coffin was a foreign order. It was conferred by ıe King of Portugal in acknowledgment of an important task he ıd been asked to perform, and which he conscientiously discharged - the organization in that country of an agricultural colony on the odel of Mettray."

On the return of M. Demetz to Mettray, the colons obtained from im permission to raise in their cemetery a monument to the memory M. Verdier, defraying the cost out of the slender pittance they are llowed to call their own. A room in a new building has since been t apart as a memorial of him. It is devoted to the accommoda- on of parents visiting their children in the institution, and is in- ribed "*Chambre Verdier.*"

The cemetery at Mettray had been formed on the occasion of the rst death which occurred there. It is the most ornamented spot bout the colony, carefully inclosed, and planted with cypresses and eeping willows. An English visitor, Mr. Wheatley Baline, has escribed a funeral witnessed there:

"This morning, after the general muster in the great square, the oys of one family, instead of breaking up to their different trades, rmed as usual and marched off with their *chef* to the shed at- ıched to their house. A boy belonging to that family had lately ied, and was just going to be buried.

"The boys stood waiting in two lines in solemn silence, under their ıed. Presently the elder brothers appeared, carrying a simple ooden shell to a room near the chapel, where the dead are laid, ıd shortly after reappeared, carrying a coffin on a bier covered with pall, and placed it between the line of boys. Again we waited,



until from the chapel appeared the chaplain with three singers, and two boys bearing the usual insignia of Roman Catholic worship.

"A short service was said over the corpse as it stood, and then a procession was formed; the brass band, which was in attendance, sounded a solemn march, the bell tolled from the tower, and the whole moved in order into the chapel, the head of the family following the bier as chief mourner. Here a longer service was said, the bell still tolling at intervals, and then the procession was again formed in order as before, joined by some of the Sisters of Charity, and moved through the farm-yard to the cemetery.

"It was a touching scene to see these boys standing by their comrade's grave, and to think, that had it not been for that institution, his corpse might have been cast out into a hole like a dog; and they leading a life worse than that of the beasts that perish, miserable here, hopeless hereafter. * * * * *

"The concluding part of the ceremony was interesting. The chaplain shed, from the instrument used for the purpose, a few drops of consecrated water into the grave, then handed it to one of the singers, who did the same, and then passed away from the grave; then the Sisters in their turn, then M. Blanchard, and so on to the boys, each in turn sprinkling a few farewell drops on the coffin of the dead. And I thought it right to shew those boys that one of a nation once hostile, but now happily allied to their own, yet still one of a faith widely different from theirs, was not unwilling to join in paying the last sad tribute of respect."

It is the duty of the elder brother to keep in order the grave of any member of his family.

In the report dated 1842, we are told: "To stimulate the enterprising and active spirits of our young laborers, we allow them to compete in each class, among themselves, the trial however being made on the soil instead of on paper. Every month the boys assign their respective places to each under the superintendence of their master, and once in three months these places are announced in the presence of the whole colony, when three rewards are granted to the three best workers in each class, namely, one franc (9½d.), 75 centimes (7¼d.), and 50 centimes (4¾d.)."

The chapel was now completed, with the exception of some internal fittings. The graceful steeple, rising above the trees, has become to the colons a familiar and much loved object. One of them who had gone to service was asked if he enjoyed coming back; he replied with a most naïve expression of pleasure, "Monsieur Demetz (for the lads rarely use the title of director), when I catch sight of the steeple of the colony, I can't walk any longer; I am

rced to run." And probably there are few who, having visited ettray, find themselves again in its neighborhood, but would echo e young man's words.

In appropriating to the lads their occupations at the colony, the rectors always consider the tastes of each; but, nevertheless, the love change frequently prompts a request for permission to try another. "We have therefore," they say, "made it a rule that before such rmission can be granted, the applicant must have risen to be one the three highest lads in the workshop where he was first placed, d that his name shall be found on the tablet of honor. Not being scouraged by a decided refusal, and feeling that compliance with s wish is only delayed, he returns to work with redoubled energy, d soon attains the rank which has been made the condition of ange. But having by this time surmounted the more important fficulties of his trade, and pleased with his success, gratified too the little reward granted in such cases and with the praise he ceives, he becomes the most desirous of all concerned to persevere the calling, from which he has already reaped so many advantages. hus we overcome in our lads that love of change which induces en to take up one vocation after another, and often renders them competent to succeed in any."

In this year died Count d'Ourches, and the *Société Paternelle* dered that his bust, in bronze, should be placed in the great hall the institution, where all the colons could see it.

In the report, dated 1845, we find the first mention of a former lon receiving a ring, in virtue of which he becomes one of a little ciety formed in 1843. It is entitled "*Association de la Colonie Mettray*," and its object is to unite in yet closer bonds the individuals admitted. The officers, from the directors downward, are embers; and former colons, when they have attained the age of enty years, become eligible after a period of at least two years m their departure from the colony, provided their conduct has eanwhile been irreproachable. Membership which, as will be supsed, is esteemed a high honor, is now enjoyed by 104 former lons. An emblematic ring is its symbol. Inscribed within the op are the honored names of Demetz and Bretignères de Courilles, the founders of the association, and the words "*Dieu, Honur, Souvenir, Alliance*," signifying devotion to the will of God, d brotherly union among the members for mutual support, for the ccor of the unfortunate, and the reclamation of evildoers. On the terior is the legend, "*Loyauté passe tout*," and two *relievi*, one presenting a prison, before which crouches a youth in despair; e other displaying the neat dwellings at Mettray, and a kneeling

child, his eyes raised in gratitude to heaven. An anecdote, illustrating the spirit which animates the wearers of the ring, I may briefly relate: An artisan, having accomplished some work which he had undertaken and received payment, met a friend with whom he repaired to a public house, where he soon became exceedingly tipsy. Starting on his way homeward, along the bank of the river Marne, singing and dancing under the influence of drink, he ran against a young man who was walking rapidly in the opposite direction. The shock jerked off the cap of the drunken man, and it rolled into the river. He forthwith fell upon the innocent cause of the mishap, and pummeled him might and main. The other, perceiving he had to deal with a man out of his senses, parried the strokes as well as he could, preferring even to receive some sharp blows rather than hurt an adversary who was not master of himself. Other persons coming up put an end to the combat, and the stranger was peaceably pursuing his road, when cries of "Help! help!" brought him back with all speed to the spot. The drunken artisan, in his efforts to regain his cap, had fallen into the water and was struggling for life. None of the bystanders could swim. In a moment the young man had plunged, dressed as he was, into the river, and, after twice diving, had caught hold of the other and deposited him safe and sound on the bank. When the rest present had paid needful attention to the rescued man — quite sobered by his dip — all turned to thank and congratulate his generous preserver. He had departed, and was already out of sight, but upon the ground lay a ring which he must have dropped. It was recognized as the ring of the *Association de Mettray*.

The ring is accompanied with a certificate of membership, which the owner often has framed and glazed, and hangs up as the chief ornament of his little dwelling. One lies before me; it is of vellum, on which is printed the name of the association; and spaces are left for the signatures of the presidents (namely, the directors) and the secretary, as well as of the member who is to receive it. By way of motto, it bears the words of St. Paul, "*Ayons l'œil les uns sur les autres pour nous exciter aux bons œuvres.*" The oath of membership is as follows: "*De notre libre et plein gré, nous prêtons serment sur l'honneur de nous vouer à la cause des enfants pauvres, abandonnés, ou coupables, de les arracher de la corruption, de les instruire, et de les élever. Nous jurons enfin de servir toute notre vie et de toutes nos forces Dieu, la colonie, et nos pères.*"*

* "With our free and full consent, we swear, on our honor, to devote ourselves to the cause of children, poor, abandoned or criminal, to snatch them from corruption, to instruct them, and to lift them up. We swear, in short, to serve, our whole life and with all our strength, God, the colony and our parents." (Com. Sec.)

Sheds, store-rooms, granary, carthouse, a building for storing agri-
tural implements and one for flour, stables, a dairy, and a kitchen
the use of the carters and for cooking food for the live stock, had
en added to the colony during 1845; while, in the course of the
xt year, it was hoped that various other farm buildings, including
eep-pens and cow-houses, would be completed.

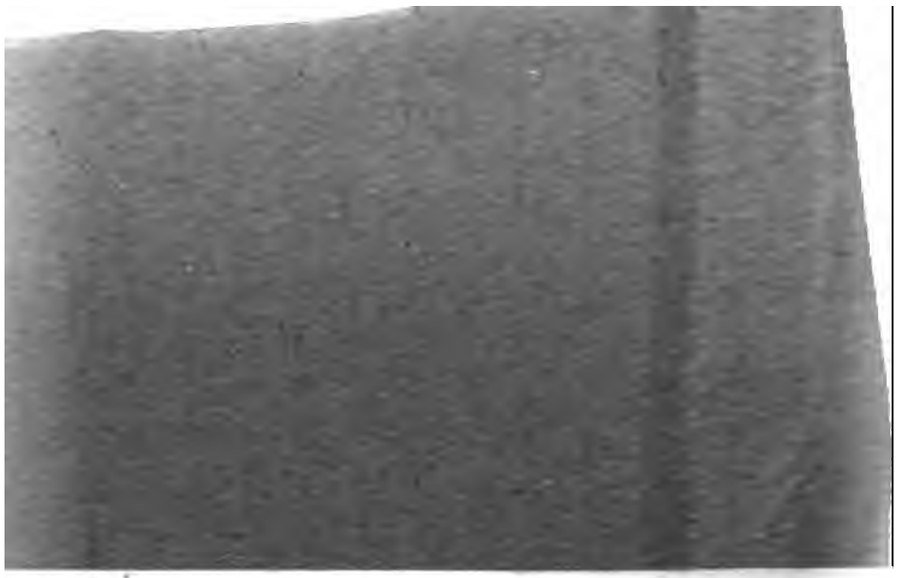
In the report dated 1846, M. de Gasparin relates a considerable
tension of the agricultural department of the colony. The insti-
ion had begun with thirty acres of land; it had now taken 500
re, upon which stood two farm houses; in each of them a family
colons was located; these outlying settlements constitute an inter-
diate stage between the mother institution and freedom. They are
cupied by elder lads, whose period of discharge approaches. The
cipline maintained is much less strict than in the colony proper,
t a close intercourse is maintained between them, and the youths
ways spend Sundays and holidays at Mettray. Of the 700 colons
w in the institution, about 300 are divided among seven of these
ccursal establishments. Although in poor condition when entered
on, the land had been made in the very first year to yield, by skill-
l management, a magnificent harvest. That whatever they do
ould be done well is a doctrine practically as well as orally
pressed upon the colons, and, like every other department, the
rming is first-rate. Besides wheat and various green crops, pota-
es, beet-root, carrots, rutabagas (for feeding cattle), cobya (for
), etc., are raised. Garden vegetables are largely cultivated,
d the colony is entirely supplied with its own meat. Indeed, it
ms at being, as far as possible, self-supporting and self-sustained.
makes all its own agricultural implements, and so successfully as
take prizes for some which it sent to the Paris exhibition of 1855.
ne of these was a root-cutter, which had not only been made at
ettray, but was invented by one of the colons. M. Demetz took
t a patent for it, both for its own utility and to mark his sympathy
ith the inventor. In manuscript notes of a visit paid by my father
Ir. M. D. Hill) to Mettray, in that year, he says: "The greater
mber of the boys are employed in agriculture; in the winter, and
very bad weather, they fill up their time in learning to make agri-
ltural implements and machines. It seemed to me an excellent
ece of practical education that the user of an implement should
now how to make it, and if to make, so also to mend it. The com-
nation of the two faculties of using and making must turn the
inds of the thoughtful toward improvements in construction, and
pecially in adaptation to different soils. In like manner, the young
rdeners are employed in the winter in fabricating whatever is

garden. We were shewn some nicely plaited ca
some of the youths. The union of handicraft empl
e labors of the field or garden is a very important m
ial occupation."
ing, so in gardening, the more scientific branches a
as grafting, budding, etc. In this, as in every oth
which the colons are instructed, it is endeavored so t
that they shall, on leaving the colony, take a goo
atever calling they adopt. At the same time, they ar
with implements or conveniences of any kind superio
are likely to find in ordinary establishments.
e time devoted to intellectual instruction had been
en hours per week, and was afterward further reduced
a subsequent arrangement, the younger children who
ng enough to do much work, but were at the age when
nowledge is easily acquired, devoted a larger proportion
hooling than their elders, and this plan is still followed.
r numerous farm buildings were completed, and a mill

irst saw Mettray, and the impression it produced on my
ever have become effaced, even if it had not been con-
ned by studying the narratives of other visitors; by the
ny times enjoyed of learning its current history from
M. Demetz himself; and by a subsequent visit made
later. To know Mettray better, is inevitably to esteem
leed, it is likened by my father, whose opportunities
ions for arriving at a just opinion far exceed mine, to a
utiful work of nature, rather than to any production of
nly is the resemblance found in its gradual develop-
the revelation of fresh perfections, the more closely it

isit was paid at a season of great pecuniary anxiety to
The Orleans family, who had liberally supported the
ere swept away; and the provisional government, by a
ssing labor in prisons and in charitable institutions, had
olony almost entirely to close the workshops of wheel-
-makers, joiners and rope-makers, in other words,
were most profitable. This was a misfortune all the
r, that the colony had seemed to be approaching a
lf-support. "On the first of January, 1848," says the
t year, "our receipts fell short of our expenses by only
(£1,200). The amount of work done in our workshops
so rapidly in 1847 that we felt sure that, by enlarging

m still further, and considering the extensive orders we had re-
ved, we should in succeeding years have realized very greatly in-
ased profits." The colony could still, of course, manufacture
icles for its own use, but external sale was strictly prohibited.
e effect of this edict was in many respects disastrous, and the
ney loss amounted to a clear thousand pounds. Towards the end
the year, affairs looked so threatening that it was even thought
sible it might be necessary to close the institution, for a time at
st, the directors hoping, however, to remain upon the spot, and
ep things together until a brighter prospect should authorize its
opening. The grief that even the contemplation of such a course
ıst have inflicted may easily be imagined, but there were many
ısolatory circumstances. No attempt had been made to keep the
ons in ignorance of what was passing in the political world. This,
is the case with every thing concerning their interests, was
ıkly explained to them. It had been feared that, seduced by
ısory ideas of freedom, insubordination and even desertion might be
result. An appeal to their sense of gratitude, an exhortation to
m to prove by their conduct their respect for law and order, did
fail to meet with an honorable response; not only was the ordi-
ry discipline maintained, but the number of offences sensibly
reased. And yet, on one occasion at least, the lads were sorely
ed. In a speech he delivered at Bristol, in 1855, M. Demetz
ated the following anecdote: "During the revolution, a band of
rkmen came to Mettray, with flags flying and trumpets sounding,
l, meeting the youths returning tired from field labor, their pick-
s on their shoulders, thus addressed them, 'My boys, do not be
h fools as to work any longer; bread is plentiful; it is ready for
ı without labor.' The *chef*, who was conducting the lads and who
ıaved with the greatest calmness and tact, immediately cried,
'alt! form in line.' The lads being accustomed to march like
liers, immediately formed. The *chef* stepped forward and said to
men, 'My friends, you have learned to labor, you have a right to
t; but leave these lads, let them learn now, and when their turn
nes, they may rest as you do.' The men gave way, the youths
rched home, and Mettray was saved — saved, as I believe, by our
bit of military discipline. Had those lads been walking home-
rd without rule, like a flock of sheep, the men would have got
ong them, carried away one or two, and the rest would have fol-
ved; but, drawn up in a line, they met the attack in one body,
l thus it was repelled." Censure expressed of this very mili-
y system has been well rebutted by the late Robert Hall, Recorder
Leeds. In his admirable lecture on Mettray, he said: "Another



objection, if it deserves to be called an objection, is that the sy turns so much on military discipline. Assume for a moment th is so: what then? Until you find me some other system as effec as this for the purpose we have in view, you must not ask m yield to any abstract dislike of every thing connected with the pr sion of a soldier. But the objection is as unfounded in fact as i trivial in its scope; the signals are given by the sound of the trum and the colons march in double file to and from those posts, a they salute by raising the hand to the cap as soldiers do; that is t sum total of all that can be said to partake of military disciplin The bell or gong, if more musical to pacific ears, might be subs tuted for the trumpet; the respectful salute is not essential, though should be sorry to see it dispensed with; the walking by two's, wit measured step, may be given up, though the boys would not than you for it, and you will not easily invent so effectual an arrange ment for seeing at a glance whether all is going on right." Again, Lord Leigh remarks: "With regard to the almost military discipline and order with which the children go through their movements before and after work or meals, I consider that by it a great saving of time is made, and four or ten minutes upon every change of move ment are gained, which would otherwise be lost in collecting and getting into place stragglers, both young and old."

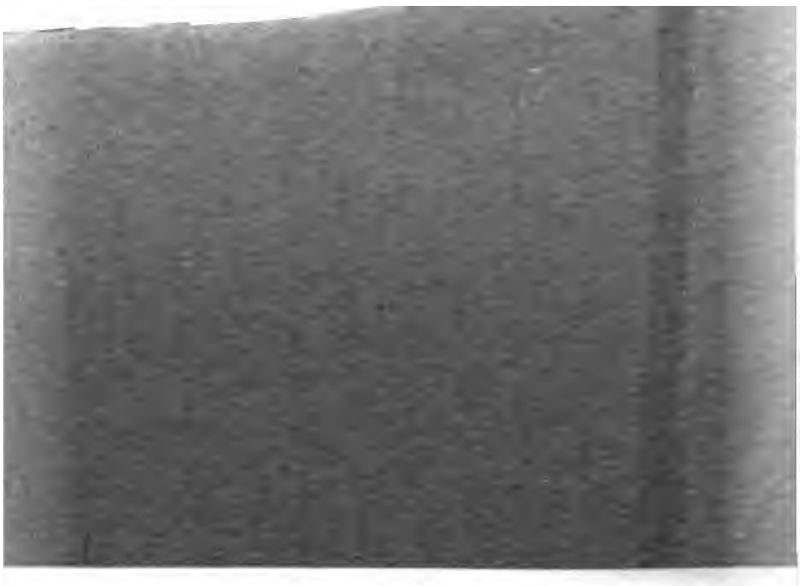
The aspect of the pecuniary affairs of the colony became more and more alarming as the year 1848 approached its close; but they brought to the directors compensation in additional proofs of sympathy and devotion, not only from the agents but even the colons. The state of affairs being explained to the lads, they volunteered to work longer hours, and this notwithstanding that the loss of an external market had necessitated the removal — much to their dislike — of large numbers from the workshops to agricultural labor; while the officers — men in the prime of life, who could at any time command remunerative employment — asked to be allowed to give up half their salaries. They would do any thing, said both agents and colons, rather than Mettray should fall.

In another form, too, consolation came in this hour of trouble. Among the combatants in the streets of Paris, including persons of all ranks and opinions, Mettray had not been unrepresented; but it was on the side of order that her children fought. "Permit us," says the annual report, "to return for a moment to the conduct of those of our lads who are now members of the *Garde Nationale Mobile*. All behaved courageously during the lamentable days of June; but we should in particular mention Louis Francois Richard, who was born at Paris. He came to Mettray in 1843, and left the

ony in 1845. His conduct while there was invariably good, and name appears on the tablet of honor. After his liberation he intained himself honestly by his labor. Having enlisted in the hth battalion of the *Garde Mobile* when it was organized, he dis-guished himself even in that gallant band. He took part in the counters of the Faubourg St. Antoine. After several barricades d been carried, he rushed to the attack upon the last three, which ll blocked up the faubourg. Here he fell into the hands of the surgents, who had planted on this, their last remaining stronghold, e flag of the eighth legion of the National Guard, which they had rried off from the council-house of the *arrondissement*. Richard ed himself from their hands by an immense effort, and with irre-tible courage, threw himself on the barricade in the midst of a urderous fire; there he recaptured the flag, and had the signal nor of restoring it to the hands of the National Guard, who were ruggling to regain it. Conducted by them in triumph to the Na-nal Assembly, the *Moniteur* announces that he there received m President Sénart his decoration as *Representant*, with the prom-e of that of the Legion of Honor. His portrait adorns the great ll at Mettray, together with those of other colons who have ought signal honor on the institution.

In course of time the promised decoration was bestowed, being companied, as is usual when conferred upon the poor, with the sum 200 francs. Richard immediately sent 100 to Mettray, thus add-g his name to the list of colons who had become "Founders." "It as Mettray," he wrote to M. Demetz, "which first inspired me with e sentiment of honor; and since I cannot give her my cross (of the gion of Honor), I ask leave to offer a share in the first benefit I ve derived from it."

In 1849, no improvement having taken place in the finances of the lony, expressions of sympathy and offers of pecuniary aid came m Holland and from England, and Mettray received a visit from uis Napoleon, then President of the Republic, accompanied by veral of his ministers. They fully recognized the importance of e institution; but nevertheless the Directors had great reason to ar that the subventions which each successive Government since at of Louis Philippe had continued to grant, might now be with-awn. To avert this threatened ruin, they asked for a Commission be appointed by the Chamber of Representatives to visit Mettray d report upon it to the government. Happily, its investigations sulted in the subventions being continued; but the loss of profit m the workshops which remained closed, and a diminution in the ms allowed by Government toward the food and clothing of the

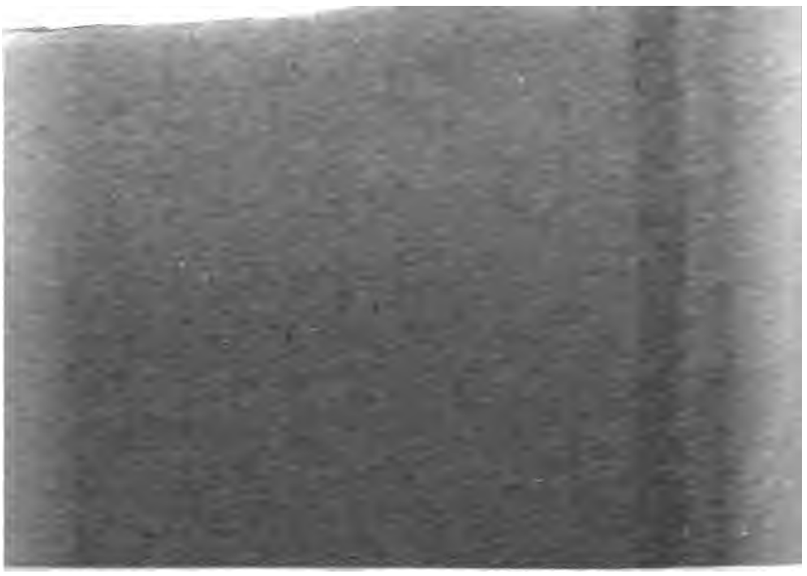


colons, at length necessitated a reduction in the staff The Directors dismissed twenty of their assistants, parting with deep personal regret, and grieved for the decreased ef the institution which must result from their departure. T not, however, allow these generous men to spend their be unremunerated toil; and, indeed, the mere cost of their livi as it is, was a matter of importance to the administrators o straitened. The loss of their services, however, was sev the remaining agents having now to perform, in additio own, the duties before discharged by those who had departe so little employment could be given in the workshops, th school was increased to fourteen hours a week; and in 1850 drains were undertaken, which, though promising no prese at any rate gave the boys employment. Eventually they c bly improved the land, and were the cause, on this accou award of 300 francs to the colony from the Minister of Ag

In 1852 an elaborate report was issued by M. de Gaspari agricultural department of the colony, then in a very fl condition. In the autumn of that same year occurred the event which has yet befallen Mettray. On the 10th of Se M. de Courteilles died.

The Vicomte de Bretignières de Courteilles appears to ha in every way as remarkable a man as his friend and fellow M. Demetz. Far less, however, is publicly known of him, p owing to his having died before much had been written up tray; and it is from the testimony of M. Demetz and the affection he excited more than from recorded deeds or words own, that we can estimate the greatness and tenderness of his Judging from his portrait, M. de Courteilles was a strikingly some man of military bearing. Endowed with high intellect, w and of noble birth, he seemed to possess and to be formed to every gift that fortune can bestow; yet while still in the pri life he withdrew from the world, in which he seemed formed to and, equally with M. Demetz, devoted all that remained to h existence upon earth to a task, demanding apparently the aba ment not only of ease and leisure but of every hope of furthe tinction; for not then, be it remembered, had it won the prest has now acquired, — a task, moreover, calling upon him to pa remainder of his days in close contact with the wretched offs of the lowest of the low. How, by that very personal contact, ing them as it were to his own level, and constraining them b very force of his love to become worthy of such affection, Vicomte won their hearts, many an anecdote reveals. M.

ıot relates how, one fête day, when visiting the colony with M. de urteilles for his guide, they came upon two lads under a shed o, sitting astride face to face upon a bench, were playing at ughts. The Director, stroking the head of one of the players, l, "See, this is one of our best colons; he works capitally and his duct is excellent. He has been on the Tablet of Honor ever since came." M. de Courteilles and his companion walked on; but, orbed in conversation, they returned, without observing it, to ıost the same spot, and found themselves outside a door which ened into the shed. Standing as it did ajar, they heard involun-ily what the boys were saying. "I love that man," remarked of them, "as if he were my own father." "Your own father!" laimed the other, "do you think of comparing M. de Courteilles a fellow like your father?—the man who has saved you, to one o left you to go to the dogs!" Later in the same day, as M. Huot ompanied M. de Courteilles towards his chateau, distant music was ard. "Ah," said the Director, "we shall see how they have ar-ged their Harvest Home. I left it all to them, and kept for myself pleasure of the surprise." The band now came in sight, heading ong procession, in which were displayed the fruits of the harvest, various implements used in agriculture and in the dairy, the enty horses of the colony, each led by a colon. All marched in fect order, delight beaming in every face. Repairing to an open ce in the park, already decorated with emblems of their toil, ere tables had been spread for a repast, the clatter of forks upon ir tin plates was soon heard; while the colons belonging to the chen department, wearing their long white aprons, were employed serving those at the tables, cutting up large basketfuls of bread, filling the huge tin cups with holiday beverage. As the feast w near its close, the Director caused a cup to be filled for himself, l addressing the boys said: "My friends, may this harvest home, ich concludes your toil, encourage you to resume it with ardor. u are now tasting, believe me, the laborer's pleasantest reward. the bread which you are eating, you yourselves sowed the grain, u reaped it, you threshed it, you reduced it to flour. It is your n bread, honestly and courageously earned by the sweat of ır own brows. Rejoice, then, as I rejoice with you. It is, I ure you, with the greatest satisfaction that I drink to the pros-rity of Mettray." "And so do I," cried one small voice; but the clamation—not according with the habits of order and decorum served by the colons—finding no echo, the poor little speaker, nfused at seeing every eye fixed upon him, cast his own to the ound ready to burst into tears. The Director, however, addressing



him said: "You are quite right, my little lad, to answer a done. What you said came from your heart. You d prosperity of Mettray because you understand its value."

And yet another anecdote, simple though it be, will hel how entirely M. de Courteilles had identified himself wit little wards, and how warmly was his love for them ret youth, whose conduct had been exemplary ever since he e colony, fell mortally ill, and, feeling his end approachin die in the arms of M. de Courteilles, whom he called his f

His own end was characteristic of his life.

He was attending the sick bed of a youth who was, to a ance, thoroughly hardened, when the latter, for the first t his admission into the colony, exhibited some sign of contri joy which M. de Courteilles experienced on the occasion, him of an extract from a sermon of the Abbé Lacordaire, had inserted in his work on prisons. He went for the vo was reading the passage to the friends that were around h the book dropped from his hand — he was dead.

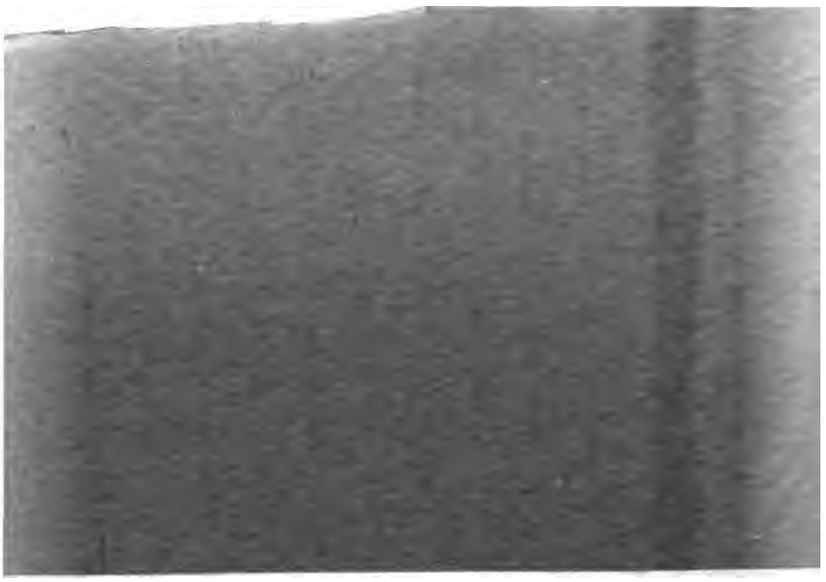
"Thus," writes M. Demetz, "the colony lost its firmest s the tenderest and most faithful friend, the companion of years, the adopted brother given me by God.

"It may seem rash in me, to those who knew the force of acter, the power of his genius, to have consented henceforth upon myself alone the responsibility of this great enterprise. is to those very qualities, which circumstances enable me bet any one else justly to estimate, that my resolution must be att M. de Courteilles has placed the administration of the colon sound a basis, that I have only to execute what he has organized. His zeal and devotion were never more evident the year which has just elapsed; the narrative of its events strates the greatness of his creative genius. He regarded the attained by the colony, both in a moral point of view and in to discipline, as most satisfactory — an opinion which ha recently received ministerial confirmation; but he deplored th gularities still apparent in our domestic economy, which re from the want of sufficient means to conduct it methodically, was to this department of our institution more particularly, th devoted the last days of his life."

The great increase in the number of inmates at Mettray ha dered the existing store-houses altogether inadequate to its re ments; it had consequently become necessary to purchase artic consumption almost from day to day, which caused, inevitably, waste in their use, and made it impossible to take advantage

cheap season to lay in a large stock. To meet this evil, M. de Courteilles began to build extensive magazines which, when finished, not only enabled the managers to purchase largely when prices were low, but to keep a much more exact account of their expenditure in this department than had before been practicable. Constantly was he occupied in overlooking the workmen so much so that his health suffered visibly from these excessive demands upon his strength, but when besought to moderate his efforts, he would reply, "While the flesh is able, the spirit must be willing." His death not only overwhelmed the colony with sorrow, but numbers of letters expressing the most poignant grief, were received from former colons. Every letter, I may here remark, addressed to the directors by their former wards — and they may be reckoned by thousands — is answered. One, upon this occasion, was from the first youth placed out, so that many years must have elapsed since he left Mettray, yet his letter, one of the most touching compositions I ever read, expresses affliction as acute as if he had been with M. de Courteilles to the very day of his death. Another letter which had recently been received when I was in Mettray, in 1861, from a former colon, who had entered the army ten years before, and wrote from China, where he had been decorated after the battle of the Peiho, announced the speedy return of his regiment to France, when his first journey, he said, would be to Mettray, "to press his lips on the tomb which covers the remains of his beloved M. de Courteilles, and grasp once more the friendly hand of M. Demetz." A portrait of their deceased benefactor was awarded to each family who should pass a month without an offence being recorded against any of its members. Within five months every family had earned the coveted memorial. "His remains," wrote the recorder of Birmingham, in 1855, "lie in their burial ground, to which they have given a second consecration. His enduring ardor breathes through his epitaph, written by his own hand, and attested by every act of his life: "*J'ai voulu vivre, mourir et ressusciter avec eux.*" Of this venerable man may we not say, as the apostle wrote of Abel, 'He being dead, yet speaketh,' for his words are not mere dumb and graven letters, but have a voice to make themselves heard and felt in the most callous heart." He left no children, and his widow, thus free to take the veil, began immediately on his death her noviciate as a Sister of Charity.

In 1853 M. Demetz received a letter, full of gratitude and affection, from a former colon settled at Lima, who begged that the ring of the "*Association de Mettray*" might be sent him. He had despatched to France 200 francs, inscribed, "*A mes deux Méres ;*" 100 was for his parent, the other for Mettray; and he expressed the earnest desire of



his wife and himself, that he should become a "Founder" of tution.

In 1854, a visit from Lord Brougham was thus recorde Annual Report: "It would be impossible to describe the in produced by the noble Lord's stay at Mettray, where the shown us by this distinguished individual in coming so far o way, was fully appreciated. Lord Brougham entered colony's minutest details, and even, at his own request, dine same table with our officers, conversing with them on the n their different employments. We shall not forget his em hearing our band perform 'God save the Queen,' and on b the English flag flying on the mast of our ship, side by side French standard. He did not depart from the institution leaving there a proof of his generous sympathy, and we look to having, ere long, funds sufficient to build a house on whic inscribed (as in the case of those constructed at the expense ferent departments) the words, 'Founded by England.'"

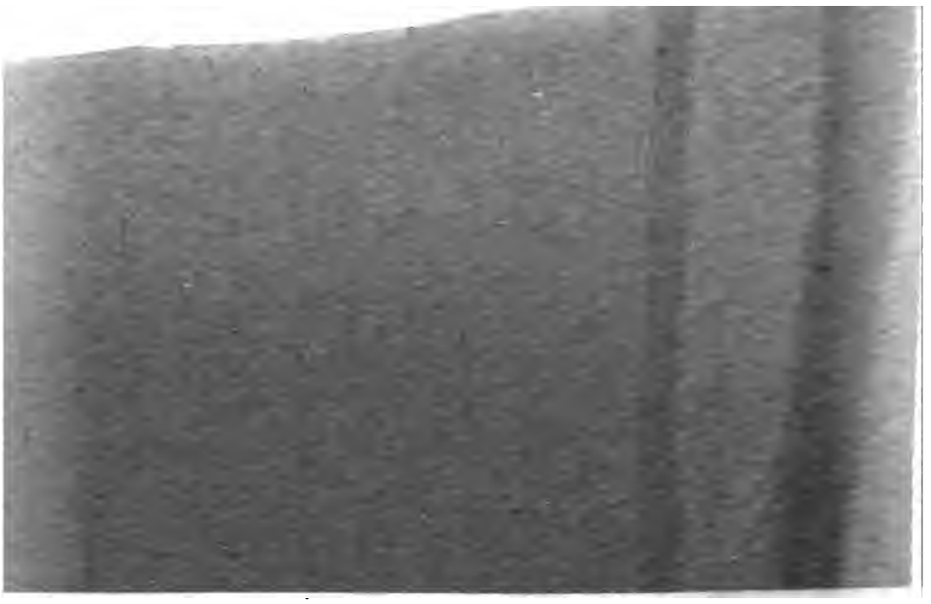
We are informed by the report for 1855, that of the 649 then in the institution, 396 could read, and 268 could writ while the most uninstructed had made some progress in the and the arithmetic class was very promising. "Great praise to our schoolmaster," the Report continues, "for the persev which has been rewarded with so large a measure of success, th remarkable as we have, during the present year, received a number of new boys. But we must award a due portion of also to the pupils in our *Ecole Préparatoire*, who have aided g to promote the improvement we have indicated. We rejoice able again to bring under your notice the advantages resulting this school, whose usefulness we have never ceased to feel, regarding which even foreigners who have kindly visited Me have taken opportunities of expressing their favorable opinion. have evidence of this on very high authority, in a letter recently lished by Mr. Hill, Queen's counsel, addressed to Lord Broug This able writer, in enumerating the conditions essential to the perity of an agricultural colony, unhesitatingly declares that most important of all is the establishment, as a preparatory step, school for teachers similar to our own."

The change from the colony, even from the lesser restriction of outlying farms previously mentioned, to employment under a pri master, notwithstanding all the care which is taken at Mettray avoid unnecessary coercion, was found to be too great not frequer to involve danger to the habits of the colon, and M. Demetz consequently led, in 1855, to form a colony at Ortfrasière, five or

agues from the parent institution, where are twenty-five colons, hose term of detention has nearly expired, who have distinguished emselves by good conduct, and who there enjoy more liberty than Mettray, though less than if placed out in the world. "Not a mplaint," says the Report for the preceding year, "has been ldressed to us by the neighboring land owners at Orfrasière, and ot only have our lads avoided exciting distrust, but their conduct as been so exemplary that the clergyman of the parish, in full congregation, was pleased to express his approbation of the manner in hich they perform their religious duties, and his high opinion of eir excellent principles."

The full number of inmates — 700 — had now been reached, which e Directors of Mettray contemplated at the foundation of their stitution, eventually receiving. The agents were in the proportion about one to ten of their wards.

In 1856 M. Demetz was in England. During his absence from ettray occurred those memorable floods in France, when large acts of land were laid under water, the country devastated and the habitants of many districts involved in ruin. The city of Tours, tuated on a peninsula, formed by the rivers Loire and Cher and a nal which unites them just above the town, was threatened with bmersion. The inhabitants, incredulous at first of danger, were nic-struck when it became imminent. Large crowds assembled in e great square, paralyzed by fear, and thus incapacitated from lopting the only measure by which they could hope to prevent their ty from being overwhelmed. Suddenly sounds of music were ard, and a crowd of Mettray lads, three hundred strong, their band aying, were seen approaching the city, their pickaxes on their oulders. They were volunteers, under the command of their offirs, coming to render assistance in keeping out the impending flood. his sight revived the courage of the inhabitants, who, ashamed of eir pusillanimity, now demanded to be set to work. The Mettray ds were soon employed on a dyke, which it was hoped would retain e waters of the canal within bounds, and there the colons labored cessantly for two days and a night, at the imminent peril of their ves, and by their zeal and devotion lent vital aid in preventing the mplete inundation of the city. The Municipal Council of Tours stified their high appreciation of the services rendered, by comanding a medal of gold to be struck, bearing this inscription: "*La ille de Tours à la Colonie de Mettray reconnaissante.*" The Carnal Archbishop of Tours, in his next charge, speaking of the terrie event, enumerated among those who had won admiration and ratitude by their exertions to preserve the safety of the city, "that



large and gallant band from Mettray, who, thoroughly disciplined, were as competent as they were ready to fill the most difficult post, and to face the greatest danger." "Well may our hearts," says the Report in which his words are quoted, "swell with joy in recording such testimony; especially if we recall the apprehension entertained in some breasts at the commencement of our undertaking. 'Beware,' said they, 'how, deceived by a calm in public affairs, you concentrate on one spot at a vast cost a population which, when troublous times arrive, may, yielding to external influence, afford a powerful contingent to the disturbers of order.' These times have come more than once; but never have the disturbers of the public dared to cross our threshold; and our colons redoubled their obedience to authority, when elsewhere it ceased even to exist."

In 1856 a new department, called "*Arts et Métiers*," was added to the *Ecole Préparatoire*, in which the industrial teachers now receive their training, serious evils having occasionally resulted from employing in that capacity men not brought up in the institution. The cost of the additional building was defrayed by sums acquired in the following manner: A French gentleman, who annually bestows large sums in charity, asked the permission of M. Demetz to lay before him a scheme for profitably employing the pauper children of France. He consented, a meeting was arranged and three hours were spent in discussing the gentleman's plan. On rising to take leave, he said to M. Demetz: "When a man consults his physician, he presents him with a fee; when he consults a lawyer, he gives him a fee. The time which you have bestowed on me is costly to Mettray; therefore, you must allow me to offer you a fee;" and, putting a packet into his hand, he left the room. On opening the envelope, M. Demetz found notes for 5,000 francs (£200). Soon afterward the same gentleman arrived at Mettray, and spent some days with its Director, thoroughly investigating the state of the colony. At his departure he said to M. Demetz: "I gave you a fee for the theory of your institution, you have now shown me its practice; permit me, then, to offer you another. The difference in the amount will indicate my appreciation of practice above theory," at the same time placing in his hands a packet containing 10,000 francs (£400).

In the same year it became of great importance to the colony to buy, instead of continuing to rent, a certain portion of the land on which it was planted. No funds existed for the purchase, and a loan consequently was effected, in the form of bonds issued at four per cent, and subsequently raised to five per cent. They were readily taken up by persons friendly to the institution, a considerable portion of whom were English, and who were actuated not only by the

desire to promote the welfare of the colony, but by a sense of gratitude for the example she had afforded of what reformatory action may accomplish, and how it can be most efficiently exercised. One of the bondholders, the present Chancellor of England, who had never drawn the interest due to him, recently restored his shares to the institution, stating that his sole motive in taking them up had been to benefit Mettray.

The report for 1857 (the last that has been issued) states, that on the 1st January of that year Mettray had restored to liberty 1,220 youths. The proportion who had relapsed into crime, which for many years had been about 10 per cent, had decreased to 8.3 per cent. It has since diminished still further — a fact which, as the calculation is always made upon *all* who have been discharged, proves the yet increasing efficacy of the system pursued. In part its greater success is to be attributed to the longer sentences inflicted in consequence of the earnest representation to the authorities, which years before had been made by the Directors of Mettray. The average period of detention had for some time past amounted to five years; and in proportion as it is still further extended does M. Demetz expect the measure of success will be enlarged. He would gladly have the time of liberation postponed until his youths have fulfilled their twentieth year, when they are admissible to the army, and when, if they do not enter on a military career, the character is formed, self-control has been acquired, and a thorough knowledge of some honest calling obtained. Holding this opinion, he may seem perhaps inconsistent in refusing to allow his lads to remain at the colony after their sentences have expired, as they sometimes ask leave to do. But such a course, he considers, has a dangerous tendency to foster a dependent spirit and undermine their powers of self-reliance.

Some gratifying incidents are recorded in this Report. A former colon, who had for several years been respectably settled in a village not many miles distant, asked M. Demetz to honor him by laying the first stone of a house he was about to build for his own occupation. The request was granted; and, on arriving at the spot, M. Demetz found the Curé, the Mayor and other authorities of the little community assembled to testify, by their reception of him, their respect for the neighbor at whose invitation he had come among them.

The following anecdote is similar in character: M. Demetz had occasion to visit a town at some distance from Mettray, for the purpose of fetching thence a fresh party of colons. The lads are always dressed in the uniform worn at the olony before departing for Mettray. As their size is of course unknown, alterations are often re-



quired to be made in the clothes brought for them before they can be worn; and for this purpose a tailor in the neighborhood whence the lads start is employed. If any former colon, who is a tailor, can be found living near, the preference is given to him. On this occasion alterations, as usual, had to be made, and the tailor sent for had been at Mettray. When he had finished his work, he begged permission of M. Demetz to invite the new colons to supper before they left the town. Consent was readily granted, when the man said he wished to ask a very great favor — so great, indeed, that he had not the courage to explain it. M. Demetz, telling him not to be afraid, begged him to say what it was he desired. Notwithstanding this encouragement, it was some time before he ventured to explain that this very great favor was no less than the company of his benefactor at the supper. M. Demetz, as can be readily imagined, did not consider the favor too great to be granted, and cordially accepted his former ward's invitation. While they were all at table the host, turning to the youths, thus addressed them: "You see what I am now; well, I was once what you have been. I became a colon at Mettray, as you are now about to become, and you see what abundant means of happiness I possess. I have a flourishing business, a good wife, a dear child. These are great blessings; but the greatest of all is to receive at my own table, and in my own house, my benefactor, the revered Director of Mettray."

It has been supposed that liberated colons would be ashamed of having been at Mettray, and sedulously conceal the fact. The foregoing anecdote goes far to prove the contrary, and there are an abundance of others to the same effect. M. Demetz being present on some occasion when a troop of soldiers were drawn up in line, one of them stepped from the ranks and flung his arms round his neck. The man had been a colon at Mettray, and, unmindful of spectators, thus gave way to the impulse of gratitude and affection. Another who entered the army, was called by his comrades "Little Mettray," as a term of endearment. Before any youths left the institution, it had been already agreed among them, that whoever set up in business first, should take as his sign (still used in France) "The colon from Mettray."

We return to the report for 1857 for the following incident: A lad named Dolbeau, who, on the expiration of his sentence, had been summoned by his father to join him at New Orleans, departed with the hope of being soon able to remit the gift of 100 francs, which would make him a Founder at Mettray. But the poor fellow had not arrived many weeks when he was struck down with yellow fever, which, in a few days, proved fatal. Before he died, however, his

father became aware of his desire, and in a letter full of gratitude for the benefits his son had received, he inclosed the appointed sum.

A similar amount came that year from M——, the settler at Lima, being his second donation, accompanied with the expression of his hope soon to revisit France, when his steps would immediately seek Mettray.

A youth lately placed with a farmer in the neighborhood, received a terrible kick from a horse. The poor sufferer, aware of the danger of his injury, begged to be laid upon a mattrass in a cart and so conveyed to Mettray. Although the jolting of a rapid pace caused him excrutiating suffering, he implored the driver to hasten, saying he should not arrive in time. His meaning was not then understood; but on reaching the colony, he asked for the Chaplain, and confessed. His wound was found to be mortal, and after lingering two days, he breathed his last. "I have given you a deal of trouble," he said, "but I couldn't die among strangers."

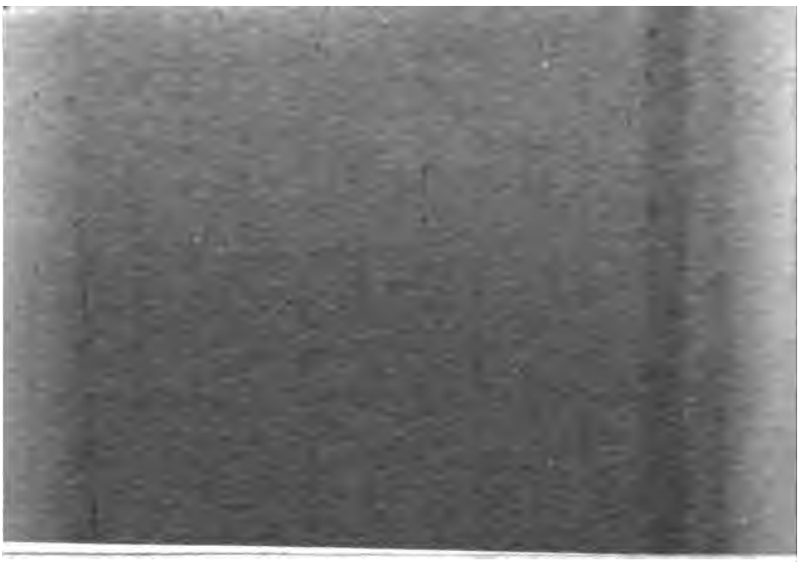
In the autumn of this year Mettray was severely visited by dysentery, when fourteen of the colons sank under the disorder. This, however, is no large number out of nearly 700, and the proportion of deaths in a neighboring district which suffered from the same scourge, far exceeded it. The agents, as usual, displayed their devotion to duty. They begged that no extra nurses might be procured, and some of them took up their abode in the infirmary till the malady disappeared.

When I revisited Mettray in 1861, the aspect of the colony had much changed by the growth of the trees planted in the square and surrounding gardens, which had become so luxuriant as to form a charming feature in the view.

On that occasion I made acquaintance with the *Maison Paternelle*, founded in February, 1855, for the reception of boys belonging to the upper ranks of society.

There is something startling in the first mention of such a department; one, however, has existed for some time at the Rauhe Haus, so that it is not peculiar to France; and the very considerable number of sons of wealthy parents who have been placed under the care of M. Demetz prove that it was seriously wanted there. An unhappy father, who foresaw nothing but ruin for his son, one day said to M. Demetz, "You have created an admirable institution for rescuing from vice the children of the poor. Will you do nothing to save those of the rich?" a question which suggested to him the *Maison Paternelle*.

The frequent disparity of age between husband and wife in France, which results in the latter being often left a widow while her children are yet young, the law of property which makes



children almost independent of their parents' will in the
inheritance, but still more perhaps the extreme fondness
ating, it is to be feared, sometimes into weak indulgence,
parents for their children, may account for the large cl
insubordination M. Demetz is now called upon to repress.

Until he received these lads at Mettray, expulsion from
almost the only severe measure which could be employed,
infliction in France bars admission to any other school, it
to be avoided rather than sought. Indeed, to the dissipat
it was an object of desire instead of a punishment. On
being threatened with such treatment and reminded of
quence, gaily replied, "So much the better, no more schoo

In his *Rapport sur les Colonies Agricoles*, published
M. Demetz dwelt at much length on the vital importance
means of correction. "The legislator," he said, "while r
the importance of agricultural colonies for young convicts,
take into account those children whose vicious disposition
dinate will obstinately resist all instruction and all efforts o
discipline; and who, without having been guilty of an inf
the penal laws, do not the less deserve punishment. We
children detained at the request of the father, under article
376 of the civil code. If we wish our measure of reform to be
we must aid the young, whatever be their social position, an
their evil propensities, wherever they manifest themse
wealthy families, an ill-conducted son is often sent a long
of course at great expense; but this plan has too often
effect of substituting one kind of dissipation for another.
interrupted, habits of application are lost; the young m
abroad with those very temptations from which his parents
rescue him at home, and he yields to them with less r
because he feels himself free from all surveillance; he l
entertain ideas of independence and insubordination, a
having brought trouble into his family, he later in life in
disorder into the State. By the terms of articles 375 and
the civil code, a child under sixteen years of age may be deta
month, and a youth from sixteen to twenty-one years old, six
We must, then, if we would produce a salutary effect u
mind of the young offender in so short a time, employ a sp
discipline which will *punish fast*, if we may be allowed
expression. The discipline in reformatories to which young
nals are subjected for a long period can scarcely be suf
punitive; the children in these establishments enjoy a certain
of liberty; field labor would appear, especially to boys, muc

preferred to the study of Latin, for which the greater part entertain a deep aversion. Mettray affords, at the present time, a case in point. One of our colonists is of this higher class; not being able to obtain from his parents permission to leave school, he actually set the school buildings on fire. Moreover, connections might be formed with the colons very injurious to the future prospects of children of the higher classes.

"We have no hesitation in saying that solitary confinement is the only efficacious remedy in such cases; its effects must be witnessed in order to understand the happy influence it obtains over the character. A complete transformation is effected in the individual submitted to its operation. As he can procure neither indulgence nor amusements, there is nothing to weaken the exhortations and counsels he has received. Reflection is perpetually bringing before him the picture of his past life. In solitude there is no place for pride or self-love. The child is obliged, in his own despite, to fall back upon himself; he no longer blushes at yielding to the promptings of conscience, so justly called the 'voice of God.' Little by little he becomes accessible to religious feelings; work becomes an acceptable occupation, and very soon a pleasure; he follows it with ardor; and that which he has hitherto considered as a painful task, becomes a comfort, even a necessity; so that the greatest punishment that can be inflicted on him is to deprive him of employment. The short period of detention dissipates all risk of evils, which some persons might anticipate from the solitary system.

"I have had an opportunity of witnessing the effects of solitary confinement, just described, at Mettray, where children under paternal correction have been sent for some time past. A dwelling constructed under the direction of M. Blouet, entirely on the model of that of the penitentiary at Philadelphia, is now specially set apart for this class." It contains accommodation for twenty inmates. Each has two simply-furnished rooms at his disposal — one in which he sleeps; the other, opening into a little garden, for use by day. Two rooms, more prettily decorated than the rest, are reserved for any lad who is distinguished by his good behavior; while, underground, are cells for the refractory, which can be rendered perfectly dark. The neighborhood of the Lycée (college) at Tours renders it easy to procure the attendance of professors, so that the studies proper to the rank and age of these young prisoners can be carried on, and provision is made also for instruction in riding, swimming and other healthful exercises. An entrance fee of 100 francs and a payment of 200 francs per month cover all charges, except those for instruction in accomplishments, the use of a saddle, horse, etc.

When the family is not wealthy, a s
ceived; and M. Demetz hopes that the
in time enable him to receive youths
stances should render it expedient. T
sides the tutors M. Demetz appoints t
persons with whom they have any inter
church see each other. So complete, ir
two brothers confined at the same time
mained each ignorant of the presence of
only by numbers to all except to the dir
with their names, so that if they and th
keep secret the fact of their having bee
M. Demetz." This is the title by whic
known among youths of the upper cl
appears to be regarded with wholesome

Applications from parents for the ad
multiply as the holidays approach, whe
enjoyments of home should be shared
their time at school. On the receipt
Demetz transmits to the parents a list
which inform him minutely of the
physical condition of the youth, his an
which he is destined. If it appears pr
Maison Paternelle will have a favora
granted; but before adopting this last re
communicates himself with the youth, s
frequently by personal intercourse, in o
sequences he will bring upon himself by
and to urge him as one having his best
the exhortations of his parents, and pro
teachers.

Often will M. Demetz undertake a jo
this purpose, and the vast fatigue he th
striking proof, were one needed, of his
great cause he has ever at heart.

The stern warning and benevolent ap
tray sometimes produce the desired
Maison Paternelle becomes unnecessa
passed his life in case, the victim too of
first, as might be expected, much less
than the poor child who has gone astray

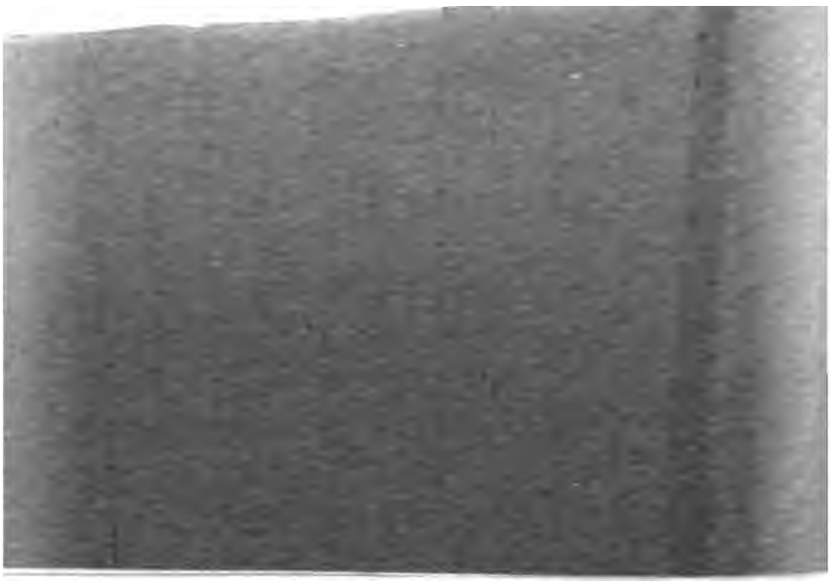
If the lad turns a deaf ear to his adv
his ways, he is quickly consigned to Me

very severe discipline. He is, however, visited constantly by M. Demetz, and the most obdurate yield in time to his influence. Severity is carried no further than is absolutely necessary, and the "personal kindness," which works such marvels with his humbler brethren, is not withheld from him. The well-disposed are even occasionally invited to dine (one at a time of course) with the director. The discipline is relaxed in proportion as the youth gives signs of improvement, and a residence of one month, or rarely more than two, usually effects a cure. Before he departs, however, care is taken that he shall see the *cellule de réintégration* — that, namely, in which he will be placed, if he should again be sent to the *Maison Paternelle*, and in which the treatment will be still more severe than any he has yet experienced.

Occasionally when such a course seems preferable to complete liberation, the lad, on leaving the *Maison Paternelle*, is placed by M. Demetz with a country *curé*, under whose care he remains a few weeks longer in a position of semi-freedom. Sometimes when even less restraint is sufficient, he is sent a journey under the charge of a tutor until the holidays are over, when he returns to the school he quitted for the *Maison Paternelle*. Even then the watchful care of M. Demetz is only relaxed — it does not cease. Keeping himself well informed of the youth's conduct, he admonishes him if he wanders from the path of duty, even visiting him at his school, if that be necessary. It is not often that he needs to be again put in confinement; but if he relapse, he may be brought back a second and even a third time. Not a few have of their own accord asked permission to return, conscious of wanting the opportunity for reflection and for hard work which it affords. While on the one hand, M. Demetz requires from the parents that they shall vest in him absolute authority over their child to do whatever may seem to him expedient, on the other, he keeps them regularly informed of the course their son is pursuing.

Since this department was opened, besides the indefinite but doubtless very large number who have been deterred by its reputation from ever qualifying for admission into the *Maison Paternelle*, it has received 664. Of these, twenty-six are now in the institution, and 455 are well-conducted members of society, while 151 are behaving tolerably, leaving a residue of thirty-two failures. As the higher the social position, the wider is the circle of man's influence, it cannot be doubted that by reclaiming these youths of wealth and rank, an even more important boon is conferred upon the community than by the reformation of the colon.

In 1864, a lawyer at Marseilles, who had evidently not heard of the *Maison Paternelle*, addressed a petition to the French Senate to



the effect that such an institution should be founded. A
the House, in a speech reported in the *Moniteur* of May
year, in acknowledging the important services of M. Dem
that his establishment corresponded exactly with that de
the petitioner; and the House, accepting this statement as
answer, passed to the order of the day.

Besides the conviction of the great value to his cou
result of these labors, the gratitude of parents who have l
sons thus snatched from destruction, is very precious to M
and even more so, perhaps, the recognition by the young
selves of what they owe to him. Not long ago, he told m
on his table a card left in his absence, bearing the name o
inmate of the *Maison Paternelle*; written beneath were
"*Reconnaissance éternelle.*"

The latest published notice of the colony is contained in
upon that institution presented by the International J
Exposition Universelle of 1867, from which we learn tha
1865 recognized as an institution of public utility, thereby
competent to inherit legacies and to receive other advanta

I may now sum up the results attained at Mettray by
tending over a period of nearly thirty years.

The *Ecole Préparatoire* has received 339 pupils, of whom
present, and 31 are officers in the institution. Of the re
large number are similarly engaged elsewhere.

The colony proper has received 3,775 youths. Of thes
still under its care; 155 have been expelled for serious off
mitted at the colony; 25 have been removed by the ord
Minister of the Interior, some to hospitals or asylums,
quence of being afflicted with severe disease — epilepsy, et
few others, because they had been sent to Mettray by mis
are dead; 2,524 have been restored to liberty, and of these,
have relapsed into crime, or, as stated in the returns pu
the Minister of Justice, 7 per cent; while, as he shows, the
age of relapses among persons discharged from other priv
matories in France amounts to 11 per cent, and from State
tories to 17 per cent. Even of the youths sent back to pris
have subsequently done well; and were the more penal ele
existence, the establishment of which M. Demetz has expo
cated, even a much larger proportion of those for whom t
ment at Mettray was not sufficiently severe, might now b
citizens. His knowledge, indeed, of the youthful charac
spired him with the belief that if the right means be bro
it is not impossible that all might be found capable of ref

The cost of Mettray — which on the continent is regarded as excessive, but which compares favorably with that of most English reformatories, and I believe of those in America also — may be thus stated: Dividing the expenditures for officers, rent, instruction, food, clothing, and patronage after leaving the colony, in short, the whole expenditure of the institution among the colons, a trifle less than £11 per year is the share of each, after deducting the average value of his labor.

It is chiefly the large proportion of agents which has made the cost of reformation (as regards France) comparatively high at Mettray; but it is to it also, in great measure, that the very large number of reformations is owing, for no effort has been spared to keep the expenses down to the lowest legitimate level. The grand object of the institution, however, has ever been held primarily in view. "Reform," says M. Demetz, "as cheaply as you can, but — reform."

The *Maison Paternelle* has received 725 youths. Of these, 26 belonging to the upper classes and 61 who are the children of poor parents* are now under its care; 2 are dead; 638 have been restored to their friends; 117, after being re-admitted a second, 29 a third time, and 11, more than three times. Of these, 32 are not improved. Of 151, the conduct is only tolerably satisfactory; but 455, there is every reason to believe, are thoroughly reformed.

The minuteness and care with which every account and record has been kept at Mettray from the first day of its existence enable me to quote these statistics with entire confidence. Their precision sufficiently testifies to the high ability of M. Theodore Matroudeau, the head of this department. Among the earliest pupils in the *Ecole Préparatoire*, he and M. Blanchard are now second only to M. Demetz, who affectionately designates the former his "right hand," the latter "his other self." So efficiently is he represented by these gentlemen, supported by the zealous co-operation of the whole staff, that during the frequent journeys he is compelled to undertake, he carries with him the assurance that his absence will cause no interruption to the well-being of the colony.

It is now many years since the system at Mettray was fully developed, and the colony, so far as concerns the class for whom it was founded, attained its full proportions.

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*These statistics were supplied to me by the kindness of M. Blanchard a few days ago, and afford the first information that has reached me that M. Demetz has carried into effect his design of receiving the poor as well as the wealthy in the *Maison Paternelle*. The time fixed for the publication of this report is too near to permit of my informing myself more fully on the subject.

The department for the rich may yet be
experience of M. Demetz having suggested a br
of youths whose wrong doing results in a certa
tive intellect, and whose treatment would be le
the present inmates of the *Maison Paternelle*,
has long contemplated, the foundation of a "*colo*
lishment which, resembling Mettray — its pe
excepted — shall receive orphans and foundlings
who have not fallen within the grasp of the law,
the non-criminal child the boon which at present i
those who have incurred punishment. Should t
into effect this conception, completing the scheme
design — to rescue all classes of children from evil
command, those who know him are assured that
and failing strength will not dissuade him from the
Meanwhile, his existing institution carries on its
cess which a single statement will suffice to record.
youths whom it has restored to liberty, 93 per cent a
ble members of society. Can any other reformatory,
the New World, present a result like this?

As year after year rolls by, and more and more of he
into the world, carrying with them the good principles s
in their hearts and the skill for honest labor with w
invested their hands, so must the influence of Mettray
ever-widening circle. Equally, I trust, does our grati
as we more thoroughly comprehend the vastness of ou
great exemplar. Radiant, indeed, is the constellation
and good who have gathered around her; but while ea
particular star," wins from us its tribute of admiratio
two which in splendor transcend all others. "It is impo
the late recorder of Birmingham, "to over-rate the ad
having had such men as De Courteilles and Demetz to
They have raised our standard of possibilities, and their
tution remains always ready to testify to the wondrous
reformatory action, under able direction, when urged for
the glowing zeal and the indomitable perseverance, wh
brought to the conflict."

BRISTOL, ENGLAND, January 1, 1869. FLORENCE

NOTE BY MISS HILL.—The foregoing history is compiled in great measure from various publications, but as constant reference to them during the course of the narrative would have been inconsistent, I append their titles. F. H.

Rapports Annuels sur la Colonie Agricole Pénitentaire de Mettray. From 1840 to 1857, inclusive.

* Notice sur Mettray, par Augustin Cochin.

† Notice sur l'Ecole Préparatoire de Mettray, 1846.

† Trois Jours à Mettrey, par Paul Huot.

Charge by the Recorder of Birmingham, Oct. 1848. See *Repression of Crime.* London: Parker & Son, 1857.

* Rapport et Projet de loi sur les Jeunes Détenus, par M. Corne, 1850.

Mettray; A Lecture by Robert Hall, M. A., 1854. London: Cash, Bishopsgate street.

Practical Suggestions to the Founders of Reformatory Schools. By the Recorder of Birmingham, 1855. London: Cash, Bishopsgate street.

Mettray; a letter to C. B. Adderley, Esq., M. P., by the Recorder of Birmingham. —*Law Review*, Feb., 1855.

A Visit to Mettray; a lecture by E. B. Wheatley, M. A., 1855. Longmans.

A Visit to Mettray.—*Chamber's Journal*, Nov., 1855.

* Rapport sur les Colonies Agricoles, par M. Demetz, 1855.

The Reformatory at Mettray; by Lord Leigh.—*Times*, Dec. 25th, 1855.

* La Colonie de Mettray. Letter to the editor of the *Journal des Economistes*, by M. Demetz.

Mettray and M. Demetz in England.—*Law Review*, Nov., 1855.

Mettray, from 1839 to 1856.—*Ibid.*, Feb., 1856.

Colonie de Mettray, par A. Lepelletier de la Garthe, 1856. Paris: Guillaumin & Cie.

A Visit to Mettray, by Frederic Hill, Esq., late Inspector of Prisons, 1856.

Mettray, its Rise and Progress.—*Irish Quarterly Review*, Dec., 1856.

Recent Visit of M. Demetz to England.—*Law Amendment Journal*, May, 1857.

American Reformatory Institutions.—*Irish Quarterly Review*, Jan., 1858.

Our Exemplars, 1860. London; Cassells & Co.

Mettray.—*Friend of the People*, June, 1861.

The Present Position of Mettray; Social Science Transactions, 1861.

* Notice sur la Maison Paternelle par M. Demetz, 1863.

Une Visite a Mettray, par Ch. Sauvestra, 1864. Paris: Hachette.

A Visit to Mettray.—*Once a Week*, June 1865.

Mettray; Colonie Pénitentaire—Maison Paternelle; par L. Bonneville de Marsangy, 1866. Paris: Henri Plon.

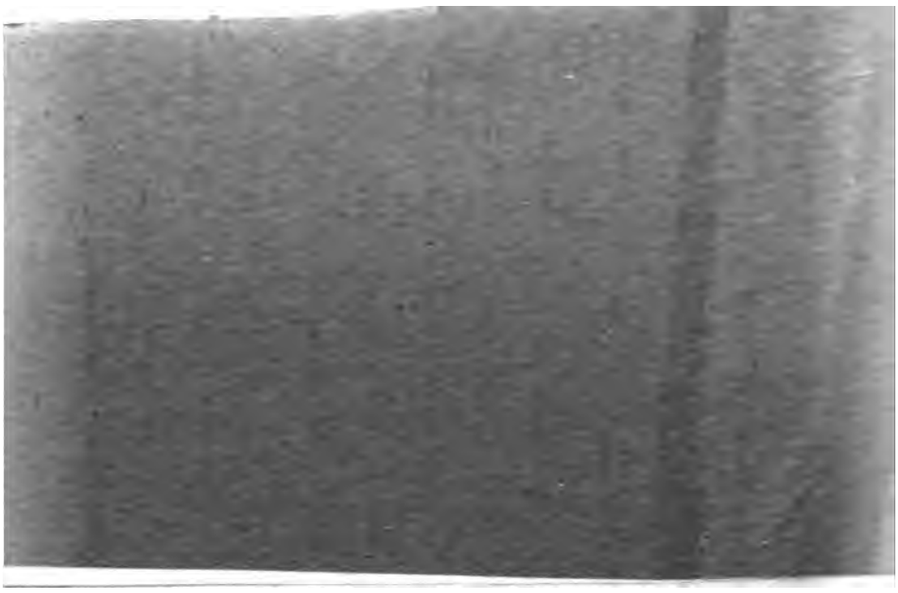
* La Colonie Agricole de Mettray, par J. M. Guardia, 1867.

* Rapport du Jury International (de l'Exposition Universelle), sur la Colonie de Mettray, 1866.

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* Tours: Imprimerie Ladevergе.

† Paris: Taillefer et Cie, Rue St. Benoît, 7.



X. BOARDING OUT PAUPER CHILDREN.

By Miss Joanna Margaret Hill, Corresponding Member of the Prison Association

[Communicated for insertion in the Annual Report.]

A question of social science which is attracting much attention the present day is, how to eradicate the pauper taint from our wo house children, so as to give them an equal chance with others in t battle of life, while rendering them working members of the co munity, and thus relieve the rates of their future maintenance.

Many difficulties have to be contended with—such as paup association, feeble constitution, absence of natural training and hon life—for which several remedies have been put forward and trie with more or less success.

For orphans or deserted children, at any rate, I trust that I sha be able to show that no plan, both for cheapness and efficiency, equa that known under the name of "The Boarding-out System," prac tised by most of the larger Scotch parishes, and in use to a certai extent, either under private or official superintendence, in Ireland France, Russia, Germany, the United States, and also in a few par ishes of England.

In this country, indeed, the practice of placing out pauper chil dren to nurse was formerly common; but, from want of an efficient system of superintendence, they were very frequently intrusted to improper persons, who merely made a trade of receiving them; and thus great abuses occurred, which brought the system into disrepute and occasioned its being superseded by workhouse schools.

I trust that the experience narrated in this paper will prove that these abuses are not necessarily inherent in the system, but may be entirely prevented by well regulated supervision.

The children are placed in the homes of respectable cottagers at a weekly remuneration which just covers expenditure, not affording profit, and are visited by an inspector, who watches over their welfare and removes them when he considers that they are not properly treated. This, however, is seldom found to be necessary; for long experience proves that it is the rare exception when the little one does not become the adopted child of the house—its welfare being as dear to the foster parent as that of her own offspring.

Indeed, those well acquainted with our poor all unite in relating numerous instances of such adoption of friendless children, without

any hope of remuneration. The child thus happily placed passes in infancy through the natural training of industrious poverty; and when the time for earning its own livelihood has arrived, no more difficulty is experienced in obtaining employment for it than in the case of children of the laboring classes.

This autumn I was so fortunate as to have the opportunity of visiting, in company with Mr. Grieg, inspector of poor of the city parish of Edinburgh, eleven such homes for pauper children, containing in all twenty-nine; and our visit being quite unexpected we could fairly judge of their mode of life. The homes were situated in villages distant three or four miles from the city, and were the thatched whitewashed cottages, ugly but comfortable, to be seen everywhere in Scottish rural districts. We found them all clean — some wonderfully so — while ventilation was secured by open windows. The inspector has always now more applications than he can supply for children, and, therefore, can insist upon such conditions as he thinks necessary for the health and well-being of his charges. He endeavors to keep relatives together as much as possible, placing brothers and sisters in the same cottage, or, if that be too small for proper accommodation, the boys in one and the girls in another close by.

In the first cottage we entered, we saw the mother nursing her own very weakly child, while its sturdy little foster-sister had just been gleaning corn for winter consumption. Many of them, indeed, were employed in this way, for it was holiday-time at the village school (attendance at which is compulsory), and they showed us with great pride what large bunches they had been able to collect, while we were pleased to see the skins of all, both weakly and otherwise, browned by exposure to the sun and fresh air — the best basis for future health that could be given to these town-born, alley-bred children. Any little sums gained in the holidays by harvesting, they are induced to put by as a little fund to begin the world with. One lad had as much as five pounds so earned. Some of the young folks were playing — chasing one another down the road, one solemn child busily constructing something out of two bits of wood and a nail with a stone for a hammer, while a little one of four or five was in all the dear delights of concocting a mud pie, and another little lassie was gone with "uncle's" (her foster-father's) dinner to the fields.

The owner of the second cottage, J. L., had allowed two of her girls to go into the city, on pretence of having a tooth out, but in fact to see the mother of one — a bad woman, living in the Cow Gate, a very low quarter of Edinburgh. The poor little things were

kept and stripped of their clothing; yet J. L. did not repo
absence to the inspector, nor take steps to stop the weekly p
for their board. However, discovery rapidly following the
sion of her fault, the girls were placed in another home, whi
was put on probation with her third girl, whom she was evi
great and salutary fear the inspector might also take away.
of what passed I could not comprehend, it being in the
Lowland dialect; but I could understand that she was
pleading to retain this girl, and that the inspector consid
lesson she had received quite enough to prevent any further
Removal is only resorted to as an extreme measure, for the
affection between foster parent and child being once created
always form again in another home.

Mr. Grieg told us that he was once in hesitation about co
to keep children under the charge of a certain widow of w
was doubtful, when a young man, a farm servant, came to
and said, "I hear, sir, you are thinking of taking away th
from widow So-and-so. Let 'em stay, sir; let 'em stay. I
half their board if you will. I was once with her, and kn
She is a queer body, but she's *good*;" which speech conqu
scruples, and the widow retained her nurslings.

In another cottage were two pretty, delicate looking gi
did not know where their father, a soldier, was, while their
a permanent pauper, afflicted with a mortal disease, had been
her omnibus fare to come and see them.

Suitable clothing is furnished by the authorities, costing
thirty shilling per annum for each child. It is the foster-m
duty, however, to repair these garments, and this seems thor
done. I remarked upon the neatness of some patching upon
jacket, when she eagerly told me it was his common working d
"Not his best; his best has no patches!"

Bare feet, of course, most of the children had; but they we
carefully-washed feet of respectable Scotch children, who are
provided with shoes and stockings for dress occasions.

Care is taken that frocks and jackets of various patterned stu
sent to the children of the same village; so that nothing s
mark them out as different from their play-fellows. Success, hov
is not always attained in this respect. Two boys appeared
inspector's office one day, having run away from their foster-mo
house because they were goaded to desperation by the taunts of
of the village boys, calling after them, "Poor-house brats!"
were only persuaded to return when measures had been taken to
these insults.

One girl of 13, whose proficiency in knitting — certainly very considerable — had induced a lady to take her into her service, was being prepared for her place. Her foster-mother, who had undertaken the outfit in preference to its being sent ready-made from the workhouse, regretted much the departure of her daughter — a great loss to the cottage, as she was a quick, industrious girl. "I suppose these children come back to you sometimes," we said. "Oh, they always call it home," was the reply; and we were told of several instances of the foster-children supplying help in after life to their aged guardians.

The last visit we paid was to a Mrs. Stewart, one of the first to take out children from the workhouse, twenty-four years ago. She still seems to regard them with undiminished interest. Six of her girls, she said, had married apparently very well, while she bade the bright lassie she had with her fetch her school prizes to show us. They were a goodly array, and for excellency in different matters — attendance, good conduct, sewing, knitting, dictation, etc. This girl has an elder brother, Alexander, also one of Mrs. Stewart's boys, now under apprenticeship as a compositor, but already earning fourteen shillings per week. We were shown a letter of his to his sister, which evinced considerable power of expression and strong good sense. He is very likely to do well.

I was sorry the school was closed, as it would have been pleasant to see the intellectual progress of the children; but the inspector tells me that it is carefully attended to, and his *protégés*, from their regularity, generally hold a high place among their fellows. The fees are paid by the parish directly to the schoolmaster, who sends a quarterly return to Mr. Grieg of the attendance and conduct of these pupils. He, too, is in a position to give many little particulars about the children and the way in which they are treated, that are very useful to the inspector — "So-and-so is not always clean, or seems hungry," etc. — hints which may determine the latter either to remove the child or to watch it with special attention.

On Mr. Grieg's visit, which is irregular and unexpected, he asks the schoolmaster to send him up a class for examination, not composed of his own children alone, but mixed with their other scholars — always trying to prevent separation in any way from the village children. Indeed, these "bairns" are many of them quite unconscious that they are paupers; "and," Mr. Grieg says, "would treat with the same horror and contempt as is entertained by the respectable working people, a proposal to remove them to the workhouse."

He places out *all* children who are likely to be more than four months in-door paupers, and finds that little or no trouble is

experienced from the real parents being still aliv
to believe that many a mother among the perm
workhouses would be glad to feel that her child h
home, and was making itself connections and frien
the future.

The payments are made in advance by the assis
the foster mother twice a quarter, at the rate of tw
sixpence per week. The cost to the parish of each
ance, including its share of the assistant inspector's
the year ending May, 1867, £8 16s. 2d. Medical atte
out the year for 362 children, was £15 5s. 2d. (abo
head). While the death rate is about a quarter per
dren only having died since April, 1866, both very weal
and one, from peculiar circumstances, not being able t
out of the city), and is lower than that of the two gr
Heriot's and Watson's which have, moreover, the importa
of rejecting children laboring under constitutional disea
under five years old, up to which age the death rate stan
higher figure than in succeeding years. At Glasgow a si
is pursued by both parishes of that city—the inspectors o
long experience, entertaining the same conviction with M
the efficiency of the system. It is worthy of remark, also,
Mr. Adamson, inspector for the city parish (who formerl
appointment under the English Poor Law board, and had
experience of pauper management in Liverpool), comm
duties in Scotland, seventeen years ago, he sustained the str
ion, which is common in England, against "boarding out;
experience in Scotland has rendered him a warm supporte
system. He has more than 400 boarded out under his care—
children, orphans, or motherless. He has taken considerabl
to ascertain the conduct of the children when out in the wor
he finds that seventy per cent certainly do well, while Mr. Bea
the Barony parish tells me only one per cent of his are known
ill, while Mr. Grieg says, "It is a rare thing for either a bo
girl who has been brought up by the Parochial board in this
become chargeable to the parish in after life."

The object of the system is not to *coddle* the children, not to
or educate them at all above their rank, but to employ the best
most natural means of training them, physically and mentally, fo
work they will have to do, and to place them in the most advant
ous position for beginning that work. For boys, such advanta
are highly valuable, for girls, essential; because, with the bless
of a real home life, they are daily acquiring a knowledge of comm

things, such as no mere school education can supply to them, but which, nevertheless, is absolutely necessary to their success in life.*

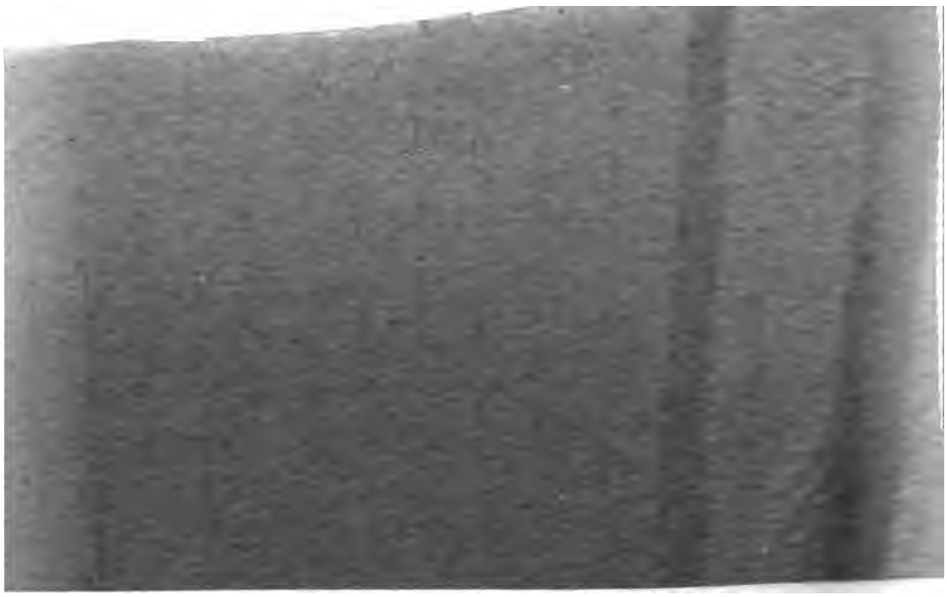
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* The plan described by Miss Hill has been recommended by the Board of State Charities in Massachusetts. Mr. Sanborn, late secretary of the Board, and now editor of the Springfield *Republican*, in a notice of Miss Hill's paper, which he had read in manuscript, uses this language in his issue of February 6th, 1869:

"The experiment now going on at the State primary school in Monson, of separating the poor children who come upon the State for support from the adult paupers, is sure to be successful in giving the children a better training, moral and mental, than they would otherwise receive. But it is only a step toward the true policy for the State to pursue, namely, to board these children, from their earliest years, in private families, paying, when necessary, a small sum for their maintenance. This is the course which nature and common sense recommend for the care of such children, instead of the unnatural aggregation of them in great establishments. The home, the family, are the best nursery for all children, and a poor home is almost always better than a good almshouse. We understand that the Legislature will be called upon this winter to sanction the introduction of this system of boarding out, and that Gov. Claflin, whose interest in humane enterprises is well known, has expressed himself warmly in favor of it.

"The number of deserted children, orphans or motherless, boarded out by Mr. Adamson, inspector of poor for the city parish of Glasgow, is upward of 400, of whom he finds that more than 70 per cent do well, and that the mortality is very small. Mr. Beattie, inspector of the other great parish of Glasgow — the Barony parish — with a smaller number of children, reports still better results. Mr. Grieg, inspector for the city parish of Edinburgh, who also has some 400 children thus boarded out, reports that the mortality among them is very small, that they grow up without the "pauper taint" which infects all children bred in almshouses, and that they generally turn out well. He boards out in this way all children who are likely to be more than four months supported by the public, and finds that he has more applicants than children. The whole cost of each child by the year, including clothing and medical attendance, is £8 17s., which, in our present currency, is about $60, or $1.15 a week. Miss Hill herself visited, with Mr. Grieg, eleven houses, where twenty-nine of these children were boarded, and was satisfied that their condition was much better than in the best workhouses.

"A slight change in our existing laws, and a little effort on the part of the State authorities, who are generally favorable to such a system, would introduce it here in Massachusetts, where we are sure it would succeed even better than in Scotland, and with no greater cost to the State than our present method entails, while the health, the habits and the morals of the children would be wonderfully improved by the change. Can we not have something done toward this at the present session of the Legislature?" COR. SEC'Y.



XI. CRIME AND PUNISHMENT.

By William Lucas Sargent, Corresponding Member of the Prison Association.

Birmingham, September 19, 1868.

My Dear Sir: You ask me whether any thing within my experience of criminals, might be useful to my friends in the United States. I answer that possibly, my position as a manufacturer, as a frequent attendant formerly at petty sessions, and as an habitual visitor of prisoners in their cells, may have led me to views of crime and punishment different from those of other observers. I will throw my thoughts together without any pretence of logical arrangement.

I find that strangers to these questions, visiting our modern prisons, seeing symmetrical and cheerful buildings, and a sufficiency of wholesome food, are struck with the absence of those horrors which they have been accustomed to regard as inseparable from the gaol: they feel that it would be absurd to inscribe over our prison doors, he who enters here leaves hope behind: they see no place for Mrs. Fry, or for the simple and charming benevolence of Goldsmith's Vicar of Wakefield among his ruffianly companions. They rush to the conclusion that our treatment of convicts is too gentle, and is ill adapted to deter men under temptation. It may perhaps be true that we have been of late years too gentle as regards hardened ruffians, and that these would have been all the better for a taste of severity; but as regards the majority of prisoners I do not think that this is so. Most of these come from the lowest of the working classes, and their notion of comfort is snugness, a blazing fire, and not too much neatness: the lofty, airy corridors, the cell deprived of fire, the formal neatness, are odious to them.

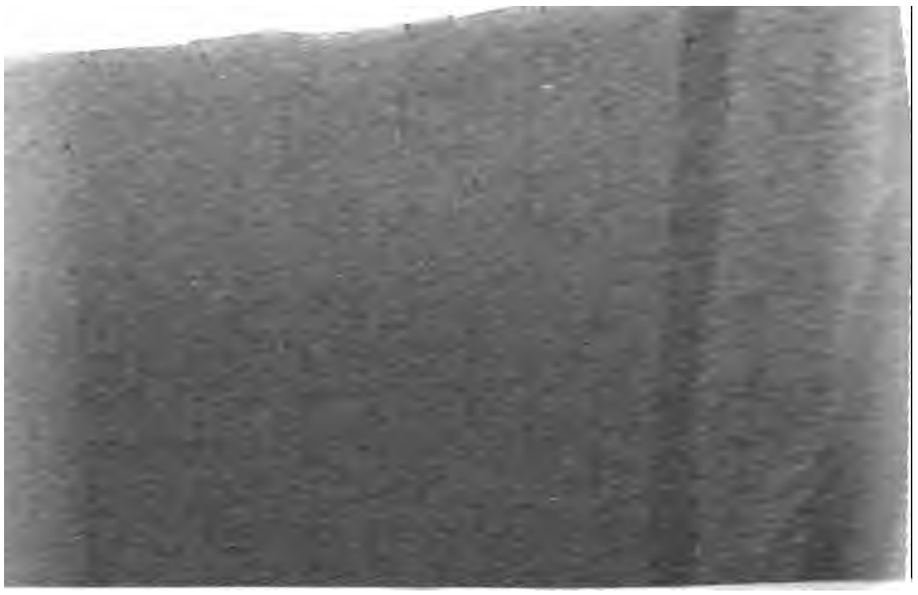
To casual visitors again, separate confinement does not seem terrific. But let them go to each cell separately, look at the card on which the term of confinement is set down, and note the expression of the prisoner's face, on a remark that he has still to stay in a long or a short time: in the one case the despondency, in the other the flush of gladness. Let them then remember how they have felt when they have had to spend a wet day in a country inn, alone, without a newspaper, without a pipe, with insipid food and nothing stronger than cocoa, with the weather too warm for a fire: let them suppose this continued for a second day, a week, a month, a year. Whether separate confinement leaves that sharp impression which is

best fitted to counteract temptation, is another question: that it inflicts severe suffering I am convinced.

I say that it may be doubted whether the impression is sharp enough. A bad and sensual youth, who has already been convicted, feels a strong desire to commit a crime. That he dislikes imprisonment is proved by the pains he takes to escape conviction: but in the interval between the conception and the commission of the crime, the remembrance of the smart of the cat on his back, is, I fancy, more likely to hold his hand, than the fear of a tedious confinement. The best of us are more governed by emotion than by reason, and seldom act on cool calculation of the quantity of satisfaction obtainable: the worst of us are still more the slaves of passion; and I conceive that such persons will be more restrained by a shrinking from concentrated pain, than by the anticipation of far greater suffering diluted and taken by slow degrees. By a recent act, garrotting was made punishable by flogging: the offence has not ceased, but it is believed to have been much restrained by this enactment.

One of the most important questions at present, is the way of dealing with old offenders. You are aware that Mr. Barwick Baker is a zealous advocate of the practice of apportioning sentences, not so much according to the enormity of the crime as according to the criminal condition of the convict. Some have gone so far as to excuse a first offence: but it is found in practice that this encourages the innocent to yield to temptation; for there is always some serpent at hand to whisper, — a first offence you know is overlooked.

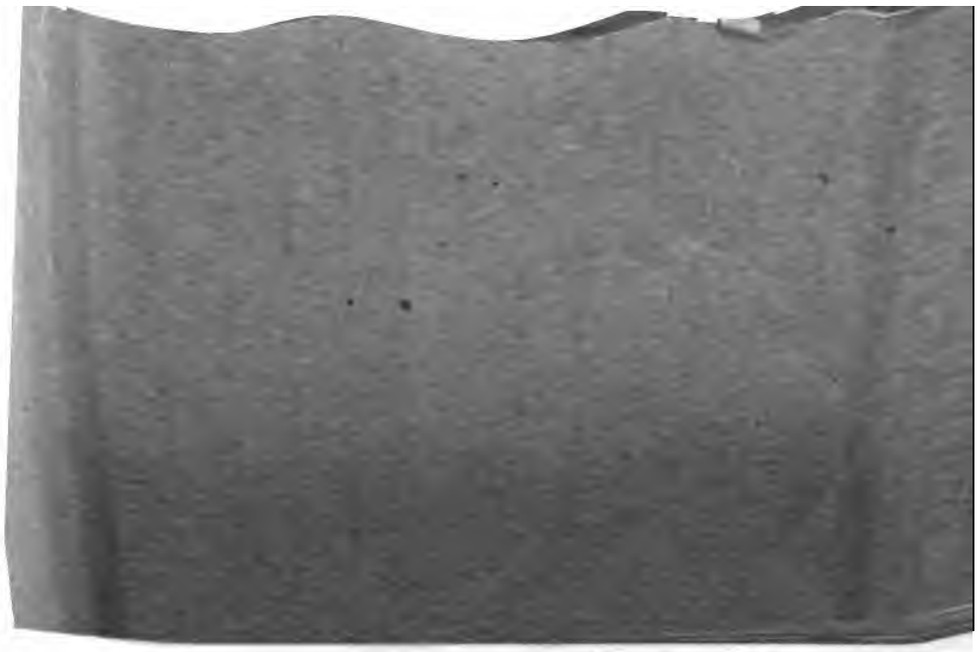
Yet I cannot go so far as to say that every second offence should be treated with severity. It is not thus that we discipline school boys. A child tells a lie and we punish him: a year afterward he repeats the offence and we punish him again: if we believe that the first punishment proved sufficient to support his veracity under ordinary circumstances, we should not think it necessary to aggravate the punishment tenfold, nor to expel him from the school. If indeed, the second lie followed on the heels of the first, that would be a different matter. We see in the newspapers reports, with reduplicated notes of admiration, that such an offender had three previous convictions recorded, and yet that the judge has given him only three months: they forget to tell us whether the previous convictions were distant, and whether, all things considered, the doses of punishment appeared to have produced their proper curative effect. A boy in prison was asked by the chaplain, how he would treat his brother if he stole: the boy answered that he would whip him. But suppose he stole again: I would whip him again. If the offences were tolerably distant, the urchin was probably right.



It must not be supposed that any discipline will reconstitu human being. A youth goes astray sometimes because his pass are strong, but more often I imagine, because his power of restraint is weak. The punishment inflicted on conviction, supp an additional motive to self-restraint, and makes the exercise of easier. But long observation has nearly convinced me that the or inal deficiency commonly remains; and that the once convicted ma is more likely to offend again than the never convicted man to offe for the first time. I have arrived at this conclusion by watching th career of several workmen, who generally lived by honest industry but who had lapsed into crime. Coming out of gaol, and being place in situations presenting no temptations, they have escaped further convictions; but sooner or later, in the course of a year or of ten years, some incident has revealed the fact that the original vice remains: a little cautious pilfering has taken place, money intrusted to them has been unaccountably lost, or they have been accessory to some carefully devised scheme of unjust appropriation. I formerly took some part in managing a Discharged Prisoners' Aid Society, which fulfilled one of the many functions of your great Prison Association: I constantly urged on the agent whose business it was to find situations for the discharged prisoners, that he should get them posts where no temptation offered itself in the form of money or valuable metal.

It is conceivable that a youth brought up among the criminal classes, might sin from mere habit, and not from any undue strength of passion, or any unusual want of the faculty of self-restraint. The bad habits being cured by long detention in a reformatory, or by a wisely graduated prison discipline, the regenerated man might be perfectly trustworthy. I only say, that this might probably be so: my own experience having lain among the decent artisans only, I have no facts with regard to the criminal classes, by which I can back up my conjecture.

A strange notion was prevalent some years ago, that offences were nearly all attributable to a certain and well defined criminal class; and an excellent correspondent of yours maintained, that if we could but lay hold at once of all the members of that fraternity, and segregate them from the rest of the community, crime would cease. To test this opinion, I for some time looked carefully over the daily police sheet at the Borough petty sessions, and I found that a very small part of the accused were known to be habitual offenders. Most crimes are committed by youths who give way to the temptations incident to their calling: one has access to small sums of money, and a penny first, then a sixpence, finally a half



crown, find their way into his pocket; another lays hold of a handful of brass dust and sells it; a third, on a ramble, cribs fruit from a stall.

Even of older and habitual thieves, many earn their living principally by work. I have had several such in my employment, and I have found that they would not rob me, unless under great temptation: like gipsies they go farther a-field for their depredations, and spare those who protect them. One T——, a known thief, worked for me, under a most respectable relation of his, and was even charged with burglary, though I believe unjustly, while he was industriously toiling at his trade. Another of the same family, the son and brother of exemplary mechanics, was a steady and sober man, but was convicted of stealing, and narrowly escaped on a second charge. A third, who had been in my employment, turned his knowledge to account after he left my service, by entering my premises at night and robbing me, time after time: yet he continued to work at his trade. A fourth, convicted of coining, when he came out of gaol at the end of four years, explained to me how he went wrong. He was a skillful mechanic, and had been accustomed to earn £2 or £3 a week: trade fell off, and for some weeks or months he had nothing to do: a stranger in a tavern offered him work on high wages; he accepted the proposal and within a month was in the hands of the police as a coiner. He remarked to me that it was uncommon hard upon him, for he should never have done it if he had had work, and just at the time he was bagged, trade turned round again and had been good ever since.

Some may say that such men do belong to the criminal classes: I answer, not in the sense usually received, for they do not live by crime but by honest industry, and their gains by crime are occasional and little more than pocket money. The last man I mentioned, no doubt, was tempted by one of those classes, but he would have probably found out a career for himself, being a strong and determined man, who would not patiently want the means for coarse pleasures. By the criminal classes proper, I understand those who make a business of crime and live by it.

Now, our friend who proposes to simultaneously lock up all criminals, would still leave at large those who, without teaching, lapse into crime under temptation: and if he were to include in his menagerie all the criminally disposed, who live by industry, but take a little stealing, as others take a little poaching, by way of amusement, he would have enough to do in the way of providing prisons. The scheme, however, is founded on the false assumption that most offences proceed from a well-defined and moderately numerous class, who make crime their business.

Perhaps I am rather old-fashioned in my opinions on these th
I certainly am so as regards the aims of punishment. These ar
according to most writers at present: to deter others from c
and to reform the actual offender: I believe that there is a
Suppose the captain of a vessel has an orphan boy put unde
care; and taking a dislike to the child, ill-treats him during a
voyage: starves him, robs him of sleep, and in the end beats hi
death. When the fact comes out, there is a universal outcry tha
ruffian captain must be severely punished: hanged, if ever crim
is to be hanged. Does public opinion require this bloody sacrifi
order that other captains may be restrained by the example, or
the murderer may be reformed? Certainly not the latter, an
think not the former: indeed, I am convinced that the public
timent is simply a desire that justice should be done; that the m
derer should pay the penalty due for his brutality and cruelty. T
exacting of the due penalty is *retribution*. It is not vengeance,
that is irregular and ill-regulated: it is retribution, which is puni
ment inflicted legally and justly. Retribution, I believe, is the fi
and main object of punishment. In an early state of society, a m
exacts vengeance for himself: in a more advanced state, governmen
forbids this, but inflicts a retributive punishment instead. Suppos
during the Indian mutiny we had caught Nena Sahib: would th
public opinion, I will not say of India, but of England, have been
satisfied to treat that monster as a subject for such punishment as
would deter others, or as a corrupted man, to be put into a reforma-
tory and morally cured? The public opinion of the world would
have demanded that he should pay the instant and supreme penalty
of the law. This is retribution. By all means deter others, and
reform the ordinary criminal; but do not lose sight of the main
principle of punishment, the exaction of a just penalty.

I fear I have wandered a little from the topic I began with. Allow
me to conclude with a remark about prison officers. My experience,
though it has not been extensive, has been tolerably long. I have
known intimately, a good many gaol governors. Of these, several
have been military or naval officers; and according to public
opinion, such men ought to make the best governors, because from
their youth they have been accustomed to the enforcement of dis-
cipline, and the formal observance of orders. My observations have
led me to doubt the accuracy of this popular opinion, and I should
shrink from again voting for the election of a soldier or sailor. I
have no experience in the management of convict prisons, where the
offenders remain for years: I only refer to the ordinary prisons, to
which men and women are sent for a few days, weeks, or months. Old

offenders, it is understood, give little trouble; to spend a certain proportion of life in confinement, is incident to their mode of life: irksome as the imprisonment is, they submit quietly and make the best of it. But a youth convicted for the first time, is likely to be despondent or savage: he may be utterly reckless of all consequences: to enforce discipline upon him is necessary, but if this is done in a rigid and unsympathizing spirit, there is danger of suicide or violence; and at any rate the hope of reformation is much lessened.

The governor should be, not the tyrant, but the friend, of the prisoners: he can easily make them understand that he must execute the sentence of the court of justice, but that he will not go a hairsbreadth beyond it: that he cannot give any food or comforts but those ordered by the visiting justices, but that these shall be supplied to the utmost. A military or naval officer who has to deal with a refractory prisoner, will probably consider it his duty to break the man's spirit by punishment: a governor of experience avoids all punishment except in extreme cases. An officer may become a good governor, but he has first to unlearn his military lessons: a gentleman brought up as a merchant or manufacturer may sooner become a good governor, because he has nothing to unlearn; and you have in your own city an example of how good a governor such a one may be. Generally, I believe, the safest course is to select a governor who has been educated to his business by serving as a warder, and earning his promotion step by step through good conduct. Such a man has learnt, by observing the failures and successes of his superiors, what he ought to do on every emergency. I would no more put a captain at the head of a jail, than I would put a jail governor in command of a squadron.

I remain, dear sir,
Yours faithfully,
WM. LUCUS SARGENT.

The Rev. E. C. Wines, D. D., New York.



4th. An association has been formed in London, in connection with others in the provinces, which, as soon as parliament meets in February next, will endeavor to enforce its views as to the licensing of beer-houses.

These may be deemed good and prompt results of the action of the section.

The discussion on prison discipline was varied by an account of the American prisons by Dr. Wines, and of the Italian prisons by M. Beltrani Scalia, the inspector-general of prisons in Italy.

The paper on the American prisons had, of course, more bearing on the prisons of this country, and the opinions set forth by the New York Prison Association met with the general concurrence of the practical minds in the section.

It was clearly set forth that, however desirable self-supporting prisons may be, when possible from markets and local circumstances, it is *not the primary* object of prison discipline.

The chairman and some of the governors of prisons pointed out that very *bad prisons* might be self-supporting. An ill-paid and deficient staff, cheap and bad construction and bad discipline might co-exist, and have before now co-existed, with self-supporting prisons.

It was also pointed out that prisons with long sentenced prisoners and a large number of them, might be self-supporting, as some of the English convict prisons are; whereas small prisons with few inmates, and perhaps only seven or eight with sentences exceeding three months, could not possibly be so, however excellent the management.

It was stated in the course of the discussion, that the Earl of Carnarvon, accompanied by Sir Walter Crofton, had, during the meeting, visited the Borough gaol of Liverpool, containing about 900 inmates, into which the "mark system" had been recently introduced with good results. The power of the tread-wheel had been utilized for the purpose of working looms, etc., in an adjoining workshop.

from the beginning are added up and entered on the new slips, and the weekly totals of good and bad marks are also entered up from the old slips weekly in a record book in the office of the prison. The number of good marks required to obtain a prisoner's entrance into a higher class depends upon the length of sentence, as shown in the accompanying table.

The various kinds of labor performed in the prison are, for the purposes of discipline, divided by the by-laws into three divisions, namely:

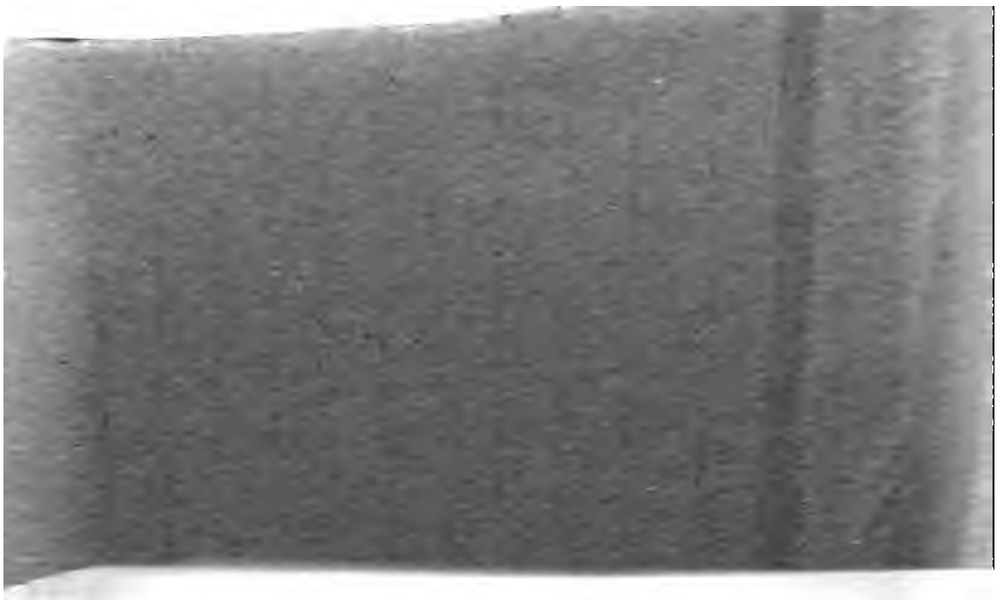
1st. "Hard labor of the most penal kinds," consisting of work on the treadmill or crank, oakum-picking and sinnot-plaiting — the two first kinds of labor for able-bodied male adults only.

2d. "Hard labor of the ordinary kinds," consisting of picking hemp and cocoa nut fibre, tailoring, shoemaking, weaving calicoes, winding bobbins, sewing and knitting, weaving mats and matting with handlooms, and ordinary mat making.

3d. "Labor in association," consisting of all kinds of labor, such as twine-making, work in the power loom room, laundry, kitchen, etc., whether industrial or in the service of the prison, which are performed in company with other prisoners, with the exception of work on the treadmill or crank, which is not considered as labor in association.

It will be observed that the kinds of labor are classed as penal or ordinary, more with reference to their estimated monotony and dullness than to the physical exertion required for their performance. It is certain that bodily exertion, unless pushed to excess, is not necessarily disagreeable; indeed, in moderation, it lessens to many prisoners the tedium of confinement, by diminishing the feeling of restlessness and *ennui*. For instance, the great majority of prisoners in the Borough prison prefer, very much, weaving matting with a loom, which requires a fair amount of bodily exertion, to oakum-picking, which requires much less.

The character of labor performed by the prisoners depends on the class they are in, as will be seen by reference to the accompanying table, subject to this exception, that the privilege of a prisoner to be transferred from one kind of labor to another, under the marking system, is contingent on his or her being able and willing to make the less penal kind of labor profitable to the prison. This condition is embodied in the extracts from the by-laws put up in the cells, and is essential, otherwise prisoners who were too clumsy to perform any work requiring skill, or who might reach a higher class only a few days before discharge, might expect to be put to some kind of labor which it might be impossible to teach them at all, or which it might



class they are in, provided they are sentenced to any term of imprisonment exceeding fourteen days; and all juveniles and male adults, sentenced to simple imprisonments, attend prayers daily from the first day of their confinement.

The governor has power, should he see any special reason for according any of these privileges to a prisoner whose class does not entitle him or her to them, to do so; but he must report any cases in which he exercises such discretionary power to the visiting justices on their next visit.

Prisoners who are industrious have a little extra diet. The rule under which this is provided for is, that every prisoner who shall earn a good mark daily from Monday to Saturday, or who, not having been a full week under the marking system, has been placed under it any day in the week not later than Wednesday, and shall earn a good mark daily up to the Saturday following, shall, during the succeeding week, have the following extra diet, namely, 1 oz. of cheese on Sunday, ½ pint soup on Tuesday, and 4 oz. bread daily. The extra bread might be dispensed with on Sunday and Tuesday with advantage.

Convicted criminal prisoners, sentenced to hard labor, sleep on plank beds without a mattrass, but with sufficient bedclothes during the whole of their sentence, if it does not exceed one month, and if it exceeds one month, during the first month of such sentence, after which period a mattrass is supplied to them.

The Liverpool magistrates have considered the question whether it is desirable to allow prisoners to participate as a rule in their prison earnings, and have decided not to do so. In the first place, no prisoner really earns enough to repay the State the expenses he has put it to, directly or indirectly, by his crime, and he has therefore no claim in justice to any of his earnings in prison. In the second place, if a prisoner is allowed to establish a claim to earnings on his discharge, the magistrates cannot exercise any absolute control over the manner in which they are expended, and they would often be wasted in debauchery and extravagance. But though the earnings of prisoners are all credited to the Borough fund, aid is occasionally given to prisoners on their discharge. The governor, assisted by the chaplain and prison minister, is directed to bring before the visiting justices, weekly, the particulars of all cases which are of such a nature as to call, in their opinion, for assistance on their discharge, and if the visiting justices approve of the proposal, they make an order for aid to be given under the 42d or 43d sections of the Prisons act of 1865; when the act does not allow of a sufficient sum being granted to carry out the proposal, the grant is supplemented from a

private fund. The governor and visiting justices are assist
very intelligent and painstaking member of the police force,
aid is rarely given to the prisoners in actual money, but the
generally handed to the officer to be used only for the speci
pose for which it is granted. Some prisoners have their far
to other parts of the country where they have friends or re
some are assisted to emigrate, and others to ship as seamen,
the aid of the officers work is occasionally obtained for disc
prisoners who would not be able to get it for themselves.

A record of the aid given is kept, and if any prisoner who h
aided on his discharge again comes under the notice of the poli
officer reports particulars of his case to the magistrates to be e
in the record book. We shall thus, in time, be able to form
idea of how far this system of aiding prisoners is really prod
of good. So far it has been very cautiously carried out.

The system which I have described was commenced on th
October, 1866, and has been carried out in all its parts, wit
exception of the work on the treadmill, which has not been
menced, the treadmills not being yet completed.* Oakum-pi
has in the meantime been very much used as a temporary subs
for the treadmill labor.

Among the ascertained results of the new discipline are a con
able increase in the industrial profits of the prison, and a n
approach to the enforcement of real hard labor than had ever
arrived at before, and this has been accompanied by a decrease i
number of punishments for prison offences inflicted on prisoners
are in for sufficiently long periods to come within the influenc
the marking system. Of the reformatory influence on priso
of the new discipline it would be premature to speak, nor is it in

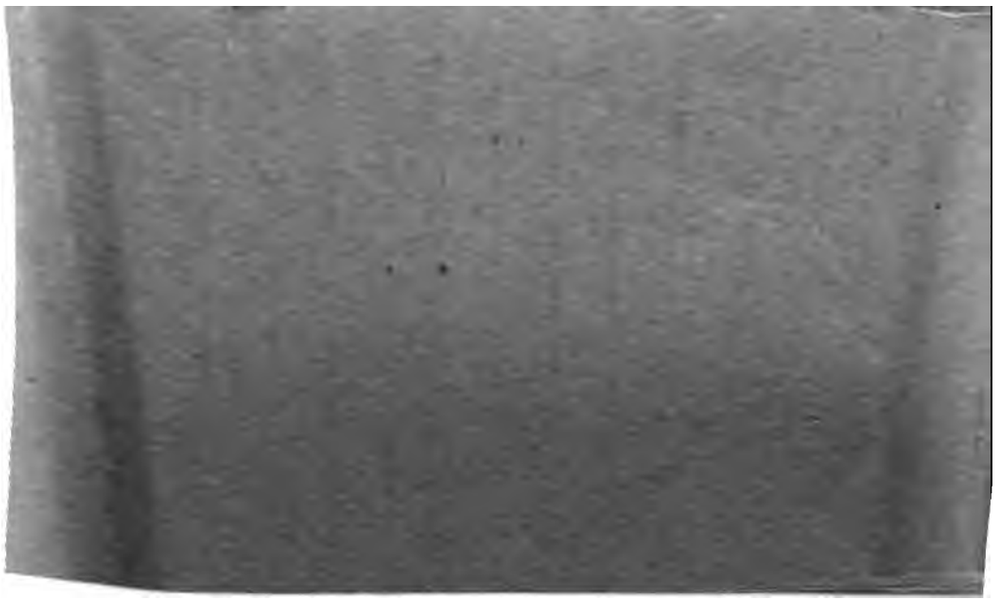
* Since this letter was written the treadmills have been completed for 215 priso
and are now in use in the prison; and though our experience of them has been
ited, it has been sufficient to convince me—

1st. That the great majority of prisoners placed on the treadmills dislike labor
them far more than any other labor in use in this prison.

2d. That fewer punishments are necessary to enforce hard labor on the treadm
than to enforce hard labor in oakum picking, or in any other irksome and penal k
of industry carried on in the prison. The decrease which has taken place in t
number of reports made to me for neglect of work on the male side of the pris
since the treadmills have been at work, is very remarkable.

3d. That the power of the treadmills can be regulated so as to drive machinery wi
great steadiness by the use of the hydraulic governor. Our treadmills, in addition t
pumping up water for the use of the prison, and of forty-six houses occupied by th
officers of it, drive a number of power looms, in which matting is manufactured.

Prisoners laboring on the treadmills remain on them for only ten minutes at a time,
and then have an interval of five minutes rest.



er likely that statistics can be obtained which will render it possible irly to test its reformatory results. We can only hope that by ncouraging prisoners while in prison for long periods to acquire abits of persevering industry and self-control, some few at least may ecome fitted to turn over a new leaf after their discharge.

As there are often over 1,000 prisoners in the prison, great simplicity is essential in all our rules. In a smaller prison it is possible the marking system might be more elaborated with advantage.

TABLE REFERRED TO IN THE PRECEDING PAPER.

Class A to include all prisoners who are not under the mark system, and all others who have not earned good marks enough to entitle them to pass into the next class. Prisoners to enter the classes B, C and D as soon as they have the number of good marks at their credit in proportion to the length of their sentences stated in the scale of marks given in the heading of each class, and to remain in each class until they have good marks enough to entitle them to enter the next, or until they forfeit so many good marks that they are no longer entitled to remain in the class they are in. As no prisoners can begin to earn marks until they have been six weeks in prison, and can only earn one good mark daily, the minimum time in which a prisoner industriously inclined can work his way out of the A class is two months, out of B class three months, and out of the C class three and a half months, from their entry into prison; and prisoners in for longer periods than six months require more marks to get into the higher classes, as shown in the different headings.

Adult Male Prisoners Sentenced to Hard Labor.

Class A.

To perform eight hours on the treadmill or crank and two hours oakum-picking or sinnott-plaiting; or, if the prisoner be sentenced for less than fourteen days, ten hours oakum-picking or sinnott-plaiting, without work on the treadmill or crank, may be substituted at the discretion of the governor; to attend prayers only at divine service, on Sunday, Good Friday and Christmas Day; not to have secular books; not to send or receive lettters; not to be allowed visits from friends.

Class B.—Terms exceeding 2 months and not exceeding 6 months, 12 marks; 6 months and not exceeding 12 months, 24 marks; 12 months, 36 marks.

To perform six hours labors on the treadmill or crank and three hours oakum-picking or sinnott-plaiting; or, if the first three months of the sentence have expired, nine hours "hard labor of the ordinary kinds;" to attend prayers daily; not to have secular books; not to send or receive letters; not to be allowed visits from friends.

Class C.—Terms exceeding 3 months and not exceeding 6 months, 36 marks; 6 months and not exceeding 12 months, 48 marks; 12 months, 60 marks.

To perform nine hours "hard labor of the ordinary kinds;" or, if half the sentence has expired, "labor in association" may be substituted at the discretion of the governor; to attend prayers daily; to have secular books; to send and receive letters once in three months; not to be allowed visits from friends.

Class D.—Terms exceeding 14 weeks and not exceeding 6 months, 48 marks; 6 months and not exceeding 12 months, 60 marks; 12 months, 72 marks.

To perform labor as in class C; to attend prayers daily; to have secular books; to send and receive one letter monthly; to be allowed a visit from friends every six weeks.

Juvenile Male and All Female Prisoners Sentenced to Hard Labor.

Class A.

To perform nine hours oakum-picking or sinnott-plaiting; to attend prayers daily; not to have secular books; not to send or receive letters; not to be allowed visits from friends.

Class B.

To perform nine hours "hard labor of the ordinary kinds;" to attend daily; not to have secular books; not to send or receive letters; not to be visits from friends.

Class C.

To perform nine hours "hard labor of the ordinary kinds;" or, if half the has expired, "labor in association" may be substituted at the discretion of t ernor or matron; to attend prayers daily; to have secular books; to send and letters once in three months; not to be allowed visits from friends.

Class D.

To perform labor as in class C; to attend prayers daily; to have secular bo send and receive one letter monthly; to receive a visit from friends every six

ADULT AND JUVENILE CRIMINAL CONVICTED PRISONERS OF BOTH SEX SENTENCED TO HARD LABOR.

Class A.

To perform the least irksome kind of work which can be conveniently suppl made profitable to the prison; to attend prayers daily; not to have secular not to send or receive letters; not to be allowed visits from friends.

Class B.

To perform labor as in class A; to attend prayers daily; to have secular not to send or receive letters; not to be allowed visits from friends.

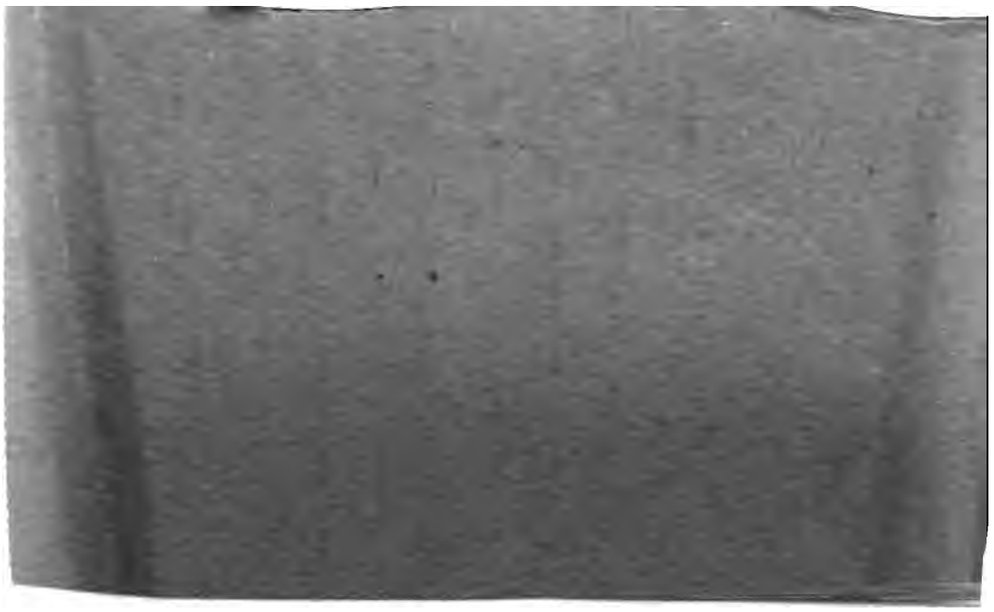
Class C.

To perform labor as in classes A and B; to attend prayers daily; to have books; to send and receive letters once in three months; not to be allowed visi friends.

Class D.

To perform labor as in classes A, B and C; to attend prayers daily; to have books; to send and receive one letter monthly; to receive a visit from friends six weeks.

N. B. The governor may, at his discretion, substitute one hour and a half o on the treadmill or cranks, by way of exercise, in place of any other kind of every other day, in the case of able-bodied adult male prisoners sentenced t labor who are in the higher classes.



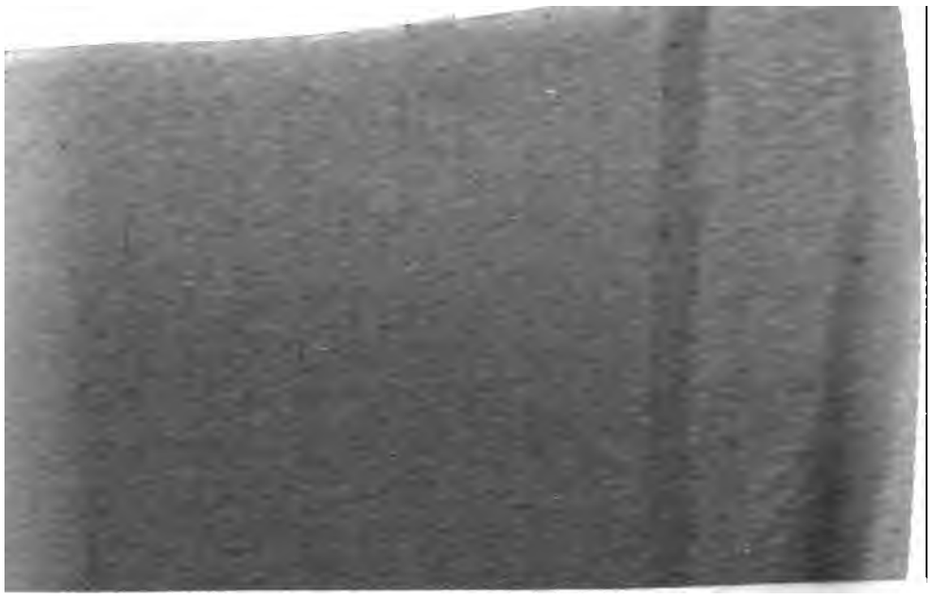
XIV. THE IRISH PRISON SYSTEM.

By the Corresponding Secretary.

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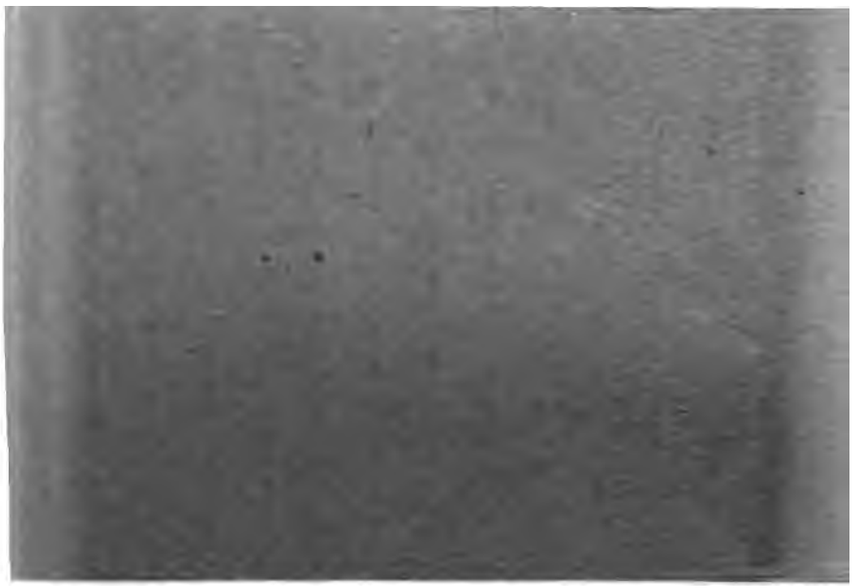
Prison discipline — the treatment of crime and criminals — is one of the problems of the ages. It has been, through successive generations, a subject of anxiety, thought, experiment, study and discussion. It has attracted the interest alike of philanthropists and statesmen, of individuals and governments. From the breadth, complexity and peculiar nature of the subject, there is scarcely a more perplexed and difficult question in the whole range of human inquiry. The great problem still awaits a complete solution, though we think that Sir Walter Crofton, the originator of the Irish system, has made a nearer approach to an adequate and successful solution of it than the world has ever seen before. Men who have thought most deeply and to the best purpose on this question have everywhere given in their adhesion to the principles on which the system is based. This is true as regards Sanborn, in the United States; Meredith, of Canada; the Hills and Miss Carpenter, of England; Marsangy and Demetz, of France; Holtzendorff and the late Mittermaier, of Germany; Scalia, of Italy; and many other eminent penologists, both in the countries named and in others. But no testimony, either higher or more to the point, has ever been given in favor of the Irish system than that of the late Count Cavour, prime minister of Victor Emanual, a statesman second to no other of his age in any country, and whose removal by death was a loss to Italy absolutely irreparable. The count, when in England, took the utmost pains to inform himself on all matters connected with prison discipline. As the result of his inquiries, he forwarded to Sir Walter Crofton, on his return to Italy, this minute concerning the penal system inaugurated by him in Ireland: "That, in his opinion, it was the only efficacious means of discountenancing vice and checking crime, by encouraging, through means purely philanthropic, the reform of the criminal, without, however, holding from him his punishment." How admirable the brevity and comprehensiveness of this description! Punishment, reformation of the convict through kindness and his own coöperation, and the effective repression of crime as the result — behold the Irish system in a nutshell!

Such a system deserves to be known, studied, pondered, and adopted by other peoples, if its principles and usages are found



applicable to their circumstances. In point of fact, though a g deal has been written and published on the subject, yet the nun of persons who read discussions of this nature is so small, that knowledge of the system and its extraordinary merits and result confined within much narrower limits than we could wish it to Our purpose, in the present paper, is to do something toward enla ing the boundaries of that knowledge, and conciliating the favor the American people toward a prison system, which has borne t best fruits in the country of its birth, and may be expected, w think, to yield fruits equally precious in other countries, to which may be transferred.

The Irish convict system, in its present form, was devised and inau gurated in Ireland by Sir Walter Crofton in 1854, where it has now been in operation for a period of fifteen years. It has long since passed from the region of experiment, and been established as a complete and indeed a triumphant success. Though to Sir Walter justly belongs the honor of having given shape and reduced to practice the most remarkable and the most successful scheme of prison discipline ever invented by man, and it might therefore fitly be called the "Crofton system," yet its germ and many of its leading principles are found in the mark system of Capt. Alexander Machonochie. By the use of the discipline embodied in that system, which he himself named the "Social prison system," Capt. M., who was fully a half century in advance of his cotemporaries, in an incredibly short space of time, transformed the community of thieves and ruffians, brutalized and sunk to the lowest depths of vice and crime, in the penal colony of Norfolk Island, into a society of peaceful, obedient, well-behaved men. This he did by making nature his handmaid and assistant, instead of seeking to crush out its principles from the soul, as all prior prison systems did, and most existing ones do. By an innovation extraordinary and unheard of, an innovation which shocked his cotemporaries as it still shocks numbers of persons who have more or less to do with prisons, he boldly siezed and skillfully moulded those great principles which the Creator has stamped upon the human soul — especially the principle of sociability — to purposes of reformation; and with a success which astounded those who saw it, and equally astounds most of those who read of it. The key to his discipline is given by himself, in a pamphlet published in 1846, in which he says: "Banish slavery from our list of punishments, rely on *influence* rather than *force*, and surround with *motives* as well as *walls*, and the remedy will be found as certain as is now the evil; and the benefit to humanity will not be inferior to any that has been compassed in modern times. What is wanted in our conflict with



is to give due importance to the object of reforming our crimi-
and to study every means by which we can make severity con-
e to that end.' But this is only one branch of the subject. We
make our whole arrangements in the arrest of crime prospective
than retrospective; preventive rather than remedial." These
ise words. They embody and set forth truths which men are
o receive, but which, when received and fully acted upon, will
se as much as they will delight mankind by their potency for

it is time to proceed to the special subject in hand. What,
is the Irish prison system? It may be shortly defined as an
reformatory, where the object is to teach and train the prisoner
ch a manner that, on his discharge, he may be able to resist
ation, may be inclined to lead a worthy life, and may possess
wer as well as the wish to earn honest bread. This is done by
g the prisoner's fate, within certain limits, in his own hands,
enabling him, during his incarceration, through industry and
conduct, to raise himself, step by step, to positions of greater
n, privilege and comfort; while idleness and bad conduct, on
ner hand, keep him in a state of coercion and restraint.
re are three distinct stages in this system of imprisonment, or
we include the period during which the convict is out on his
of license, but still subject to police supervision.
first stage is intensely penal. Cellular separation is the mode
l in this stage, and convicts are completely isolated, except in
rcise yard, the chapel and the school room; and even here no
nication is permitted. Eight months of separate imprison-
the rule; but this may be shortened somewhat by uniform
nduct. During the first four months, the prisoners sleep on
, with a box for a pillow; a degree of severity which strikes
excessive, if it does not even border on cruelty. Their diet
this period is low, and their work oakum-picking. At the
four months, they are furnished with beds, their food is
ed, and they are put at less monotonous and more interesting

neir committal, the prisoners are commonly full of antagon
en even defiant; but they soon find that the power over them
than a match for their utmost strength, whether of will or
ice. At first the seclusion, as already stated, is absolute; but
while, the cell door is thrown open a part of the day, then all
his slight approach to society is felt to be a great privilege,
withdrawn for any misconduct. But justice, even amid the
scipline of isolation, is tempered with mercy, and hope sheds

its cheering light on the prisoner. His fate, from the first, is measurably in his own hands. The system is minutely expla him, and the explanations are repeated till he fully understand and is impressed with the conviction that his condition dur imprisonment will depend mainly on his own conduct. Hi ment by the officers convinces him that they are really concer his welfare, and the effect of this conviction upon him is truly derful. Governor, physician, schoolmaster, chaplains and w all seem animated by a common impulse of humanity, and a co desire for the thorough reformation of the members of their c

Three chaplains, Catholic, Episcopal and Presbyterian, hold religious services in their respective chapels, and public w twice every Sabbath. Much attention is given to education. prison schools are subject to the supervision of the inspectors national schools. This is their testimony respecting the edu given to the convicts in the cellular prison at Mountjoy: course of training and instruction given here, and the proficienc skill attained by the pupils are very good. Nothing could e the order and cleanliness of the school, and the good behavior convicts. Their cheerful anxiety to read well and to answe questions put to them were most gratifying. When their age circumstances are considered, with the short school time all them, only one hour each day, the discipline which could have duced these results must be excellent."

This first stage of imprisonment will have done good work succeed, and it commonly does succeed, in planting in the con mind the feeling that there must be an active coöperation on his with his keepers in the effort to effect his improvement, moral, tal and industrial. The effect of this is, to cause the antago which he first felt toward the authorities to gradually melt away, to make him feel that kindness and sympathy have met him w he had looked only for harshness and oppression.

The second stage is that of progressive classification, worked the mark system. The design and effect of the marks given in stage is, to show both to the authorities and the convict his powe govern himself, and especially to realize to the mind of the la "that his progress to liberty, within the period of his sentence, be furthered only by the cultivation and application of quali opposed to those which led to his conviction."

There are four classes in this stage, viz., the 3d, 2d, 1st, and ex plary; there is also what is called a "probation" class; but this quite exceptional, and we need not occupy space in explaining and a given number of marks must be obtained by the con

e he is allowed to pass from one to the other. The maximum ber of marks attainable in a month is nine — three for general conduct; three for industry, that is, diligence at work, and not kill attained; and three for school, that is, the attention given sons and the desire shown for improvement, and not the actual ess made. Thus, a convict making slow progress, who is dili- may earn a greater number of marks than another who ices more rapidly, but evinces a less steady and laborious cation.

e convict who passes with a fair record from the stage of ate imprisonment, enters the third class. Eighteen marks are red to pass from this to the second, and of course the minimum l of detention here is two months, which may be prolonged to umber by a failure on the part of the convict to secure the ite marks. Fifty-four marks are necessary to enable a prisoner s from the second to the first class, and a hundred and eight quired for passing from the first to the exemplary, which makes inimum stay in the former six months, and in the latter twelve. eriod of detention in the exemplary class varies according to ngth of the convict's sentence. With a five years' sentence, is now the shortest term in a government or convict prison, ust remain in this class at least fourteen months; with a years' sentence, five years and eight months; and with a sen- between these extremes, a period varying with the length of rm.

e following table shows the minimum periods within which con- may be admitted to an intermediate prison, with sentences ng from five to fifteen years, inclusive:

s of sentence.	Shortest periods of imprisonment.				Longest time of remission on license.	
	In ordinary prisons.		In intermediate prisons.			
Years.	Years.	Months.	Years.	Months.	Years.	Months.
5	3	6	0	6	1	0
6	3	9	0	9	1	6
7	4	0	1	3	1	9
8	4	8	1	4	2	0
10	6	0	1	6	2	6
12	7	3	1	9	3	0
15	8	0	2	0	5	0

course, if a prisoner fails to earn all the marks attainable, his of detention in the ordinary prisons — first and second stages — e lengthened according to the degree of his failure; and his of conditional liberty — or what we call in this country com- ion, though there is no forfeiture among us after a prisoner's rge — will be proportionally shortened, and may even be nt down to zero.



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ll, most successful in self-conquest and self-regulation, will reach the intermediate prison, and soonest obtain that freer which he has been fitted by "those good schoolmasters — y, self-control and self-reliance."

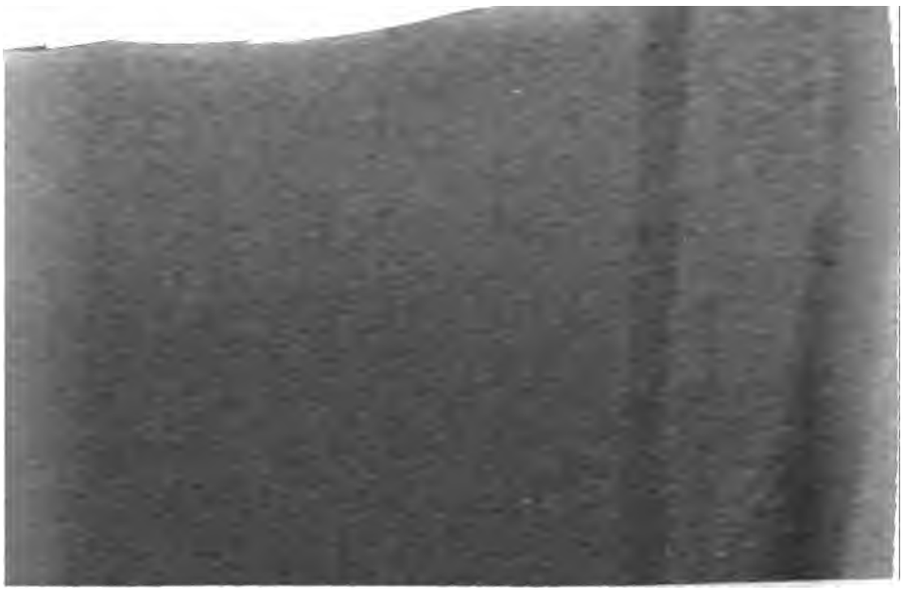
ight to be mentioned, before passing to the next division of bject, that the punishments here are chiefly of a moral kind — ure of gratuities or other privileges, change of badge and degion to a lower class, or even, if the offence be a grave one, to iscipline of the separate prison; to which may be added — as hments occasionally employed — the deprivation of a meal, or confinement on a diet of bread and water.

should be further stated that able schoolmasters, throughout the e of this second stage, give diligent attention to the instruction he convicts in secular learning, wherein they are reported to excellent progress.

ie third stage under this system is the intermediate prison, so d because it holds a middle ground between an imprisonment ly penal and a condition of full liberty. The imprisonment is almost wholly moral. Walls there are none; bolts and bars liscarded; and very little supervision is employed.

any effective prison system it will be found necessary to place elon at first under rigid restraint, and make him feel that "the of the transgressor is hard." But if the reformation of the der be the ultimate object in view, it is equally essential that restraint be gradually relaxed, and the lesson of active exertion elf-control be imparted in place of that of mere passive submisto authority. If the criminal is ever to "walk uprightly," artiprops must one by one be withdrawn, and he must be taught in his own strength. In the Irish system, this object is never ight of. The convict's power of self-government is restored to as rapidly as he is prepared for its safe exercise. When they the exemplary class, in the second stage, they are separated their fellow prisoners, are employed on special works, are under aratively slack supervision, and are surrounded by many of the tations of ordinary life. The artificial props on which they had e leaned are nearly all removed, and they must stand by their noral power, or yield with the certainty before them of degrato a lower class, or possibly to the solitary discipline of tjoy.

t after passing such period in the exemplary class as their terms ntence severally require, convicts are removed to an intermediison, where even the last slight props are, as far as possible, away, and each is left to "stand on his own legs." This stage



is but slightly penal, and those who are passing through it almost as much freedom as laboring people in civil life. Su sion is almost wholly withdrawn. They are trusted to go of err and even to work beyond the prison limits. They are locke only at night, and even then not in solitary cells. While engag the labors of the day, they converse together as freely as labo men do, no restriction being placed upon them in this respect, ex those self-imposed restraints which result from an honest and dili attention to work. The convict's gratuity is now increased to fi four cents a week, and, for the first time since his imprisonment, is permitted to spend a small portion of it—twelve cents a week on any personal gratification he may choose, except intoxicati liquors. Very few, however, avail themselves of this privilege, b the greater part allow the whole of their weekly gratuity to placed to their credit and added to previous accumulations. In fac one main design of the permission is to train them to habits of thri through the practice of voluntary self-denial.

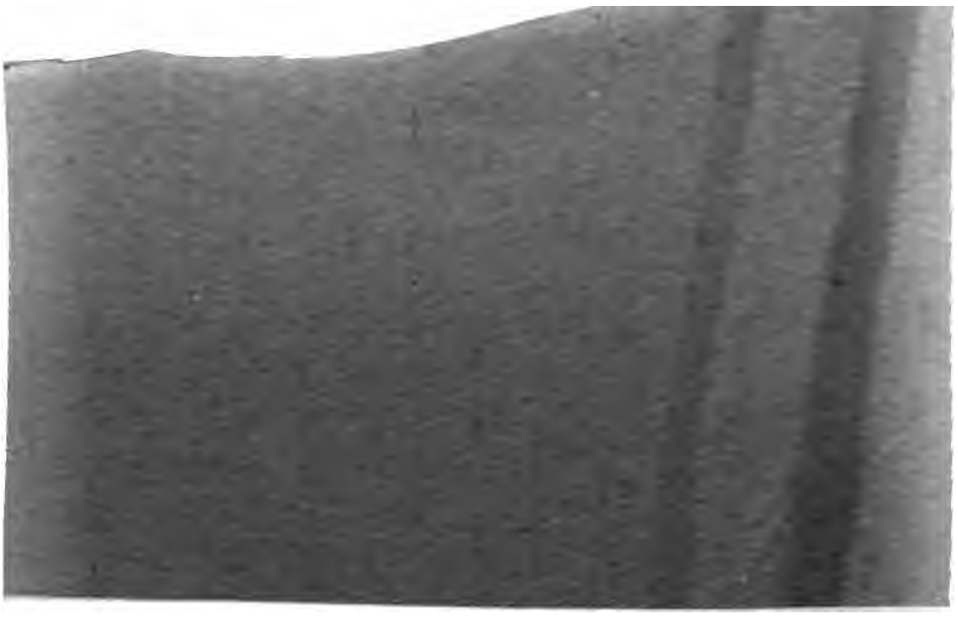
There are two intermediate prisons—one at Smithfield, in th suburbs of Dublin, where those are placed who are to be employe in mechanical labor; and the other at Lusk, some twelve miles distant, where prisoners go who are to devote themselves to farm work. No marks are given in this stage; indeed, there are none given in the advanced class of the second stage. The aim of the intermediate prison is twofold, viz.: First, to test the reality of the convict's reformation; and, secondly, to train him under natural conditions, and so to prepare him for full freedom on his discharge, by the enjoyment of partial freedom as a preliminary step.

"Individualization"—the study of the special characteristics of each prisoner, and a treatment, as far as practicable, conformable thereto—is a leading principle of the intermediate establishments. As a consequence, the number is small in each; it is not meant that it should ever exceed one hundred.

The number of officers here is so small that coercion, to any considerable extent, would be impossible; but even if possible, it would be quite out of place, because inconsistent with the principles on which the intermediate prison is founded. In point of fact, little external restraint is exercised over the inmates beyond what would be enforced in any well regulated workshop or farm, having no penal character whatever. And this is obviously essential to the design of such institutions, because, first, the convict must be convinced that you really trust him; and because, secondly, the public must be convinced that he may be safely employed on his discharge.

truction — religious and secular — is faithfully imparted in this
he two preceding stages. But in addition to the school lessons
nvict now hears five lectures every week, of an interesting and
tive character, which not only point out the folly and danger
ne, but which show him how he may amend his life, impart to
e rudiments of natural science, convey to him a fund of his-
and geographical knowledge, and instruct him on a vast
of subjects connected with the details of practical life. It is
rful what a waking up of the dormant powers of intellect,
development of all the elements of manhood, is effected, even
most vicious and degraded, by this course of training.

James P. Organ is the lecturer referred to in the preceding
aph. He has filled this office, as likewise that of superintend-
released convicts, ever since the origin of the system. In
n to the five lectures which he gives weekly at each of the
diate prisons, he holds on Saturday a sort of competitive ex-
ion of the prisoners, upon the subjects on which he has ad-
them on the preceding five days. This exercise, under his
sion, is conducted by the convicts themselves. Questions are
nd answered by them; debatable points discussed; pieces in
nd verse recited, etc., etc. Mr. Hubbell describes an exercise
kind, at which he was present. The following are some of the
ns asked and discussed: "Who is the most benefited by strikes
workmen?" "What are taxes, and why paid?" "Why
kmen paid higher wages in a new country than in an old?"
is capital, and how many kinds are there?" "The character
ge Washington, and his services to his country and mankind."
s the discussion on the first of these questions. The ques-
s, "Who is most benefited by strikes among workmen?"
st speaker replied, "The pawnbroker, rag dealer and rum-
The second said, "I think the mechanic and laboring man
ght to get the most he can for his labor, that being his only
and he has a perfect right to strike for higher wages." The
swered, "I can see no good resulting from strikes; it is true
trike for higher wages, but then I may, in consequence, be
t of employment, and during that time may indulge in bad
nd injure my reputation, so that I can get work only occa-
in very brisk times." A fourth said, "There can be no
ut I have a right to try and get the highest market price
abor, provided I do it fairly. Therefore, if I am not satisfied
wages, I have a right to quietly leave one employer and go
er; but I have no right to interfere with other workmen of
to prevent them from working because I am dissatisfied with



the amount of pay I get. This, as I understand it, is the nature and operation of strikes. Now take a case by way of illustration. Suppose I am a builder, and, as such, I contract to build a house. Of course I base my estimates on the present price of materials and on the ruling rate of labor (say twenty shillings per week). I go on with the job till the building is half done; then you, as one of my workmen, say to me, 'Sir, I can no longer work for twenty shillings, I must have thirty.' This you have a right to do, and if I say I can't afford to give it, and you quietly leave me, this is just and proper. But if you not only quit my employ yourself, but induce my other men to join you in a strike, with a view to coerce me to pay the increased wages demanded, or else my work cannot go on, you place me in a position where nothing but ruin awaits me. If I do not finish the job, I am liable to damages for breach of contract; and, on the other hand, if I pay you and all my other men the increased wages demanded by your strike, I must lose money by the job. The effect, then, of the strike is to ruin me; and I ask, is this just? As for yourself, you have probably been out of employment so much, as the effect of your strike, that you have really earned no more money than you would have done at the lower wages." At the conclusion of the discussion, the general verdict was that strikes produce nothing but evil.

The fourth stage of the Irish convict system is a period of further and final trial of the convict, when he is discharged from the intermediate prison under a conditional pardon, certified by what is called a ticket of leave or ticket of license. The convict who violates any of the conditions of his license and thereby forfeits the same, is sure to be returned to Mountjoy, there to be closely confined for a time; but he is eligible for promotion again by good conduct. But no convict who has passed through all the successive stages of this system, and, after a full discharge, commits fresh crime and is again sentenced to prison, is permitted to go through the same course of training and trial a second time. He must serve the full term of his sentence, without any abatement, in one of the government prisons.

Police supervision of convicts released on license is real and effective in Ireland, contrary to what has heretofore been the case in England, however it may be now. The conditions of the license are stringently enforced, a course which has proved as beneficial to the convict as it has to the public. In the country, the supervision is conducted by the constabulary; in Dublin by Mr. Organ, whose pleasure as well as duty it is to visit all holders of licenses once a fortnight. Another important duty laid upon him is, to find employment for these men. When he began this work fourteen years ago,

with the greatest difficulty that he could obtain places for any; ıe difficulty is reversed, so that it is harder for an employer to iberated convict than it is for such convict to find an employer. ides effecting the remarkable change just mentioned, thereby ing all obstacles out of the way of the re-absorption of dis- d convicts into virtuous society — which remains among us the lifficult and perplexing of all the problems we have to grapple -the result of this system has been to diminish crime in Ireland han fifty per cent. The number of convicts confined in govern- prisons in 1854 was 3,933; in 1866, it was only 1,637. In their port, received by us, the directors say: "The system of classifi-, now for so many years established, which leads up from the encing stage of separate confinement to the final stage of the ıediate prisons, continues to work satisfactorily."

close with a few short extracts from Mr. Organ's report for me year. He says: "Crime is fast disappearing in Dublin, d and habitual thieves are becoming honest and industrious ıs, whilst homes that have hitherto been the scenes of vice and y are now replaced by those of morality and plenty."

regards the opinion formed by the public of the convicts released ense, he says: "Employers continue to repose confidence in en, and the demand for them during the past year has at times led the supply."

he moral tone of the institution," says Mr. Organ, "is most ctory; there is an entire absence of even the slightest tendency norality, whether in words or acts; and should hypocrisy show in a new comer, it is promptly detected and as promptly cen- by the public opinion of the men in the huts." He refers to ıtermediate prison at Lusk, where the convicts are accommo- in two iron tents, each large enough for fifty men.

the beneficial influence of field labor, Mr. Organ holds this lan- : "I cannot speak too highly of the cheering effects which labor has produced, even upon the most sluggish criminals, or happy results, even upon the cool and calculating adept in vice, whose brow the honest drop of sweat never trickled;" and he his reputation on the fact, "as proved in innumerable instan- ıat the most indolent criminal can be trained to honest and endent toil, not so much through fear or coercion, as through fluence of hope and encouragement."

ıce it would seem that, for Ireland, the vexed problem, "what we do with our criminals?" — which has been for ages a *crux ilis* to the nations — has been satisfactorily solved.

XV. IMPRESSIONS OF PRISON LIFE IN GREAT BRITAIN.

By Rev. David Dyer, Chaplain of the Albany Penitentiary.

[Addressed to the Secretary of the Prison Association.]

Dear Sir: On the eve of my departure for Europe in April last, you kindly gave me some letters of introduction to distinguished philanthropists in Great Britain, who are specially interested in penal and reformatory institutions, and urged my seeing as many of them as I could. Soon after my arrival there, I called on Frederick Hill, Esq., who received me very kindly, and gave me introductions to George Everest, Esq., of the Home office, who has the charge of the criminal affairs of the United Kingdom, and to John G. Perry, Esq., one of her majesty's inspectors of prisons. From these gentlemen, together with H. P. Voules, Esq., the other inspector of prisons, Sir Walter Crofton, and Captain Barlow, director of the Mountjoy prison, Dublin, I received most kind and courteous attention. Mr. Perry repeatedly assured me that *I could not trouble him*, and directed me to such representative institutions as he thought it most desirable to visit. Both he and Sir Walter Crofton wrote to the governors of some of the prisons informing them of my anticipated visit, and soliciting for me such attention as was necessary. This kindness secured me a cordial reception and all the information I desired. I sincerely tender to each of the above named gentlemen, and to the governors of the prisons I visited, my most respectful and cordial acknowledgments, and I shall long retain a grateful remembrance of their attention.

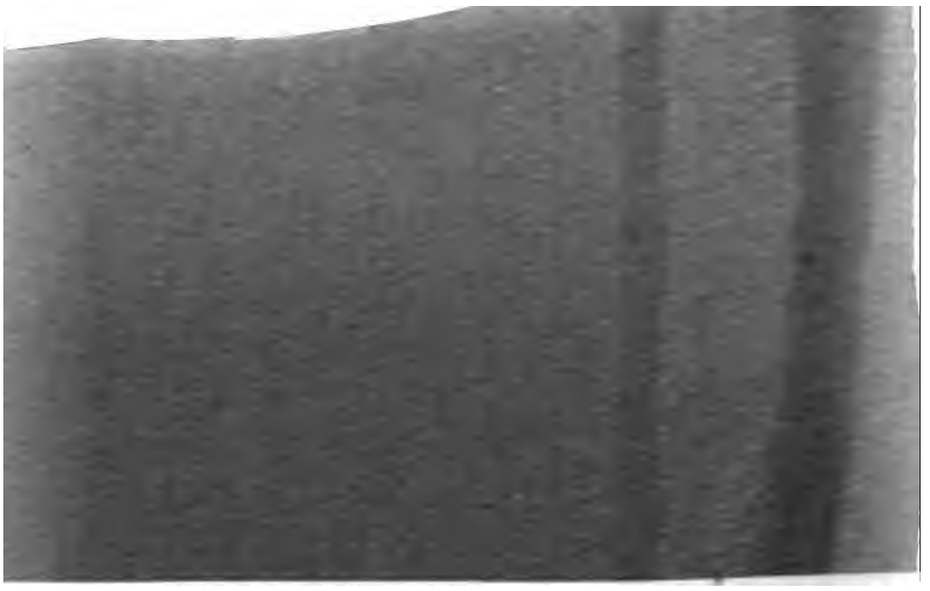
In the prisons I visited, I observed much that merits commendation. The character and appearance of the buildings; the facilities which are provided for the daily exercise of the prisoners; the cleanliness which is everywhere apparent; the size and conveniencies of the cells; the efficient method of ventilation which generally prevails; the regular system of diet; the easy way of distributing rations; the regard paid to the complaints of prisoners; the way of appointing local inspectors to the borough and county prisons; the vigorous system of inspection which is maintained; the manner of appointing and training officers; the quiet way in which they generally discharge their duties; the entire absence of party politics; the prevalent recognition among the officers of personal responsibility; the daily maintenance of religious service; the holding of two services on the

h day, and many other things which meet the observing eye, feelings of admiration, and are worthy of imitation.

as morever delighted to find, as I repeatedly did, that instead ng satisfied with the improvements which have been already there is a determination among many enlightened and influen- dividuals to proceed with the work until whatever is necessary -support and thorough efficiency shall be secured. Though alization of this most desirable end will be a work of time, yet the active and meliorating influence of Christianity, it will be, ere and there, attained.

not propose in this communication, which is written by your t, to dwell on the details of prison life in Great Britain, for as not long since well and fully done by G. B. Hubbell, Esq., article he wrote, and which was published in the twenty- annual report of the Prison Association of New York. I simply state some of the impressions I received in the visits ly made to the prisons there, in the hope of enlightening the mind and heightening public interest in prison management ork, in their relation to the convict and the community; and his the more readily because of its obvious necessity.

was much impressed with *the importance of earnestly using means in our power to make crime detestable and to prevent mmission.* In the present imperfect state of human nature f society, there certainly will be among us vicious persons, ors of civil law, and depredators of public rights. We cannot y prevent this evil. But we should be deeply, intelligently, arnestly intent on keeping their number as small as possible, ppressing in every legitimate way the inducements to crime, by ng it detestable, and by employing every means in our power event its commission. This we owe to the individual and to y; and if the obligation is not fulfilled, the very worst conse- es to both will ensue. It is, I assure you, impossible for any htful man to become acquainted with criminal life in Great in, without being painfully conscious of this fact. The sight of so large prisons, their nearness to each other, the great number of inmates, the very large number of re-committals, and the shame- ss which is very frequently associated with the commission of , press this fact most powerfully on the mind and heart. As I ed one morning with a distinguished and well informed resident lasgow through one of its crowded streets leading to the prison, irected my attention to the large number of young and middle persons who stood in the doorways and on the sidewalks, add- hat probably every one, male and female, was a vicious charac-



ter, known to be such to the police; that they made no secret of their course in life, and that their only aim was to escape arrest. In the prison, hard by, I was told by one of its officers there were then more than nine hundred convicts.

In London, it is well known, there are very large numbers of professional thieves, ranging from tender childhood to old age. There are well known streets which are full of them. They unblushingly and shamelessly avow their vocation, are seemingly free from all compunction of conscience on its account, and are hardened in crime. In visiting one day the city prison, Holloway, its excellent governor, Mr. Weatherhead, directed my attention to his classification of prisoners, among which was one that comprehended criminals of this grade. I asked him if they were numerous in London. He answered "Very." I said, "Are they dexterous in the commission of crime?" He replied, "Remarkably, it is almost impossible to detect them." I inquired, "Have they any sense of shame when detected?" He responded, "Not the least, they simply regard it as a mishap, which must be more carefully guarded against in future operations." To the question, "Have you any hope of their reformation by prison discipline?" He answered, "Not the least, they are so thoroughly obdurated." He then led me to the cells of several criminals of this character, and I instantly felt that their countenances indicated the correctness of his assertions.

Happily we have not in this country such large numbers of degenerate and utterly vicious characters. Crime is universally esteemed shameful. Its votaries shrink from the avowal of their occupation, and they dread the public odium which its known commission brings. But it must not be forgotten that the tendency with us is to the same mournful state, and this tendency is constantly strengthened by the indulgence of evil passions, by the growing corruption of society, and by the combination of its own elements. As disease increases its power and threatening character by indulgence, and as fire burns and spreads more intensely by the increase and combination of its coals, so this tendency to social ruin is promoted by the increasing numbers in society, by the strengthened indulgence of iniquity, and by the combination and concentration of vicious minds. These considerations and facts show the great importance of intelligently and zealously employing every means in our power to make crime detestable, and to prevent its commission.

2. Another impression which my visits to the prisons in Great Britain induced is *the importance of having proper conceptions of prison government.* It is to be feared that there are many persons there, as well as here, who have charge of penal institutions, who feel that

y all they have to do is to keep in proper custody and employ- those committed to their care. This done, they think their fully discharged. But this opinion, though widely prevalent, is incorrect, and most injurious in its results. It quite overlooks great end of imprisonment, and leads to the neglect of those rtunities for good which confinement affords.

reat numbers of those who are imprisoned inherit from a vicious ntage appetites and dispositions which prompt to the commission ime; they have also grown up among the depraved, and all their eptions and associations are of that character. They have never the objects of virtuous affection, nor enjoyed good moral or tal training. There are others who have yielded to crime under pressure of strong temptation, which seized them as a strong armed, and seemed impossible to resist. Now in their confine- t they see their folly, their remorse is most bitter, and sometimes ost prompts them to despair. But whatever be their particular racter or experience, every convict presents a case of moral ruin ruin the greatest and most lamentable known to men. In each be seen noble affections perverted, high expectations blasted, rished hopes extinguished, and strong passions devoted to lust. ry one has powers which should have been consecrated to God allied to the blessed ministries of heaven, but are now broken, g in the dust, covered with the mire and filth of sin, infested with son, and employed only for evil.

This is their condition, and must they remain so? Should those ing the charge of our penal institutions be content to let them ain in this debased and injurious state? Should they suffer the eks and months afforded for reflection on the past and prepara- n for the future, to pass unimproved? Should they permit the l passions, which have been long and banefully indulged, to gain ength during this time, that, when freedom is gained, they may ak forth with greater power? Should they allow themselves, even ugh they may not be officially charged with the duty, to make no rnest effort for the restoration of these moral ruins? Certainly t. It is forbidden by every interest of society, by every obliga- n they owe to their fellow men, and by every conviction of alty to God. One great and governing purpose should animate ery prison officer, and that to restore his charge to society, pre- red, by the blessing of God, for the discharge of his obligations, d determined to pursue whatsoever things are lovely and of good port. No work can be more interesting or important than this, d blessed will that individual be who intelligently and prayerfully ursues it.



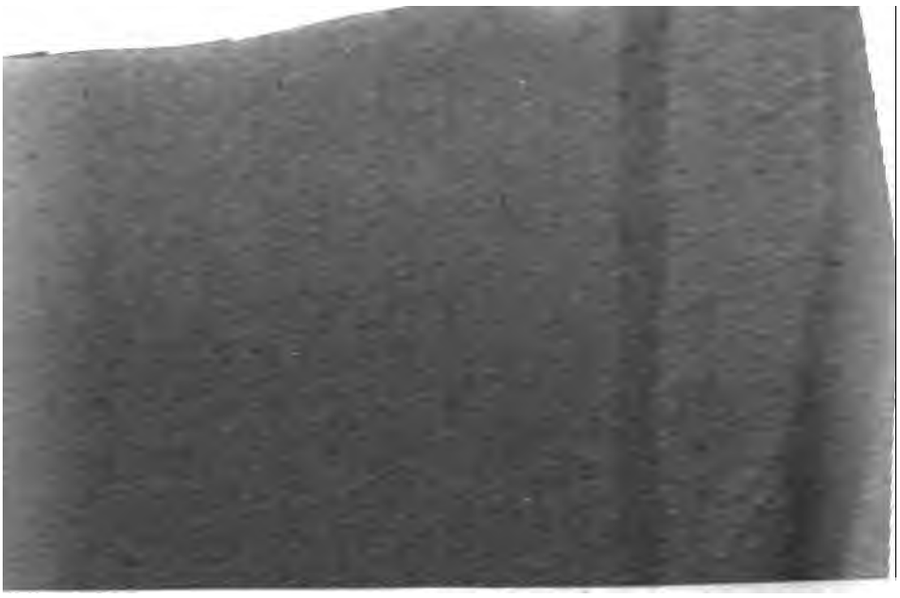
3. Closely allied with this was the deepened impression I re
of the *great importance of constantly seeking the reformation*
convict, as the chief end of prison discipline. I was pleased
the following among the general rules which the officers of t
sons in Great Britain are required to observe: "The great obj
reclaiming the criminal should always be kept in view by
officer in the prison, and they should strive to acquire a moral
ence over the prisoners by performing their duties conscienti
but without harshness. They should especially try to raise th
oner's mind to a proper feeling of moral obligation by the ex
of their own uniform regard to truth and integrity, even in the
est matters. Such conduct will, in most cases, excite the respec
confidence of the prisoners, and will make the duties of the o
more satisfactory to themselves and more useful to the public."

This rule is good and truthful, and it may be extensively regar
but from what I saw and heard in the prisons I visited, I am
pelled to fear that it is not. I would on no account knowingly
press an erroneous judgment, but I observed very little in the
indicate that the reformation of the criminal is the regnant d
and aim. I doubt not but that the chaplains are faithful, and,
erally, do what they can to secure this end; but the hearty and
sistent co-operation of all the prison authorities is required,
there and here. Daniel Webster truthfully said: "Man is not
an intellectual, but he is also a moral being; and his religions
ings and habits require cultivation. Let the religious element
man's nature be neglected; let him be influenced by no higher
tive than low self-interest, and subjected to no stronger restraint t
the limits of civil authority, and he becomes the creature of sel
passions and blind fanaticism. The cultivation of the religious s
timent represses licentiousness, incites to general benevolence a
the practical acknowledgment of the brotherhood of men; inspi
respect for law and order, and gives strength to the whole soc
fabric; at the same time it conducts the human soul upward to t
Author of its being." Of all the attributes of man, the moral a
religious are the most important and influential. They, by divi
arrangement, have the precedency. They are designed to be t
mainspring of thought and action, the director of the whole ma
Let them be neglected, debased, or treated as of secondary impo
ance, and the whole system will be deranged. Re-adjustment an
reformation will be impossible. There may, indeed, be induced
under the power of seclusion or physical force, a servile fear; per
verse passions may, for a time, be checked, and the developments o
a depraved will may be stayed; but let these appliances be remove

t will soon become apparent that instead of promoting reforma-
hey have induced spiritual hardness, recklessness and hate, and
the man a more inveterate slave to his passions and a greater
y to the State. The moral and religious improvement of convicts
d, therefore, be the first and constant aim *of all* to whose care
are committed. Their chief efforts should be directed to the
ification of the springs of thought and action; and this secured,
gh the benediction of God, those objects of Christian solicitude
go forth to exemplify in virtuous lives the wisdom and utility of
efforts.

would not, however, advocate the adoption of any questionable
erely sensational measures, for the attainment of this desirable
nor would I ask that it should interfere with the regular indus-
f the prisoners; but I would have it made, as in a Christian
ehold, the prevalent temper of the institution: a reality of which
inmate should be conscious, which every one would quietly and
ngly acknowledge, and the benign influence of which every one
d feel. I would also have such facilities afforded for religious
course and occasional social worship and instruction, in addition
e services of the Sabbath, as may be necessary, and as practical
om may approve. The prevalence of this spirit and rule would,
sure, not hinder but promote healthful discipline, productive
stry, and lead to cheerful submission and service beyond what
be otherwise secured. As elsewhere, there would be thus pro-
d, even in our prisons and among our convicts, diligence in busi-
and fervor of spirit toward the Lord.

As I passed through the prisons of Great Britain, I was made to
more deeply than before *that nothing should be said or done, and
no mode of employment should be enforced, which would injure
prisoner's physical power, or degrade his moral sense.* It was
fying to observe among the general rules that the officers are
ired to treat the prisoners with kindness and humanity, to listen
ently to their complaints and grievances, and not to speak to
in a harsh and irritating manner. This is right, and I would
a similar rule should everywhere prevail; but I am sure it does
and I more than fear that habits of speech are indulged by some
ers, in all our penal institutions, which are highly reprehensible
irritating, which provoke the prisoner's worst passions, and
etimes lead him to violate prison rules. A man does not lose his
ral feelings nor his claim to civility by being a convict, and to
t him as though he had is to make him feel that we reduce him
level with the brute; and it never fails to excite in him a spirit
esentment, insubordination and hate. That prison officer who is



the more truly Christian in speech and action will, other th
being equal, always be the more efficient and successful.

I very much wish I could say that there is no kind of employm
enforced in the prisons of Great Britain which is adapted to inj
the physical powers and degrade the moral sense. The forms
labor prevalent there, in addition to those which are necessary to t
supply of prison wants, are crank-turning, oakum-picking, and t
tread-mill. In some institutions, some of the convicts are employe
in weaving matting and in breaking stones. Crank-turning is mo
monotonous, affords not the least mental exercise, and is entirel
unproductive. The prisoner sits alone in his cell and is required t
turn the crank placed there about fourteen thousand times a day,
while a dial on the outside indicates whether he has done so or not.
This is a form of hard labor which simply occupies his time, and is
certainly not reformatory.

Oakum-picking is simply pulling to pieces old rope, or reducing
it, as nearly as fingers can do, to its fibrous state. This, though not
useless, is employment for only the eyes and hands, and gives no
occupation whatever to the mind. As I looked on numbers of active,
intelligent young men so engaged, I felt that it was not in the least
adapted to elevate their minds or reform their habits.

The treadmill is an immense wheel turned by the tread of men,
for the purpose of raising water or working machinery. From one
hundred to two hundred and fifty are engaged on it at a time, accord-
ing to the force required.

The first of these I saw was at Winchester in the county prison of
Hants, and it excited very much surprise, for I had supposed this
form of labor was utterly reprehensible and universally abandoned.
On expressing this conviction to Sir Walter Crofton, who kindly
took me through that otherwise admirably conducted prison, he
assured me it was both necessary and useful, and with proper care
not detrimental to health. I supposed that so excellent and enlight-
ened a man, in prison matters, must have good reasons for his
opinion, but I resolved on watching its effect elsewhere. Soon after,
I visited the prison in Edinburgh, and, conversing with its governor,
who is a gentleman of superior intelligence and experience, having
held that office for more than twenty-five years, I asked him what he
thought of the treadmill as an employment for convicts. He
responded, "Most injurious, sir, it is killing to some men, and deteri-
orating to the minds and morals of all." This opinion was the result
of trial, and was given with decided emphasis. Subsequently, both
in Liverpool and in London, I stood by the wheel and watched the
men who came off to rest, after working fifteen or twenty minutes,

needed no physician, or officer, to tell me that it was injurious
health of many, for their physical exhaustion, their laborious
ning, and their profuse perspiration were decisive proofs of its
ental influence. I passed from the scene feeling, from what I
ually witnessed, that this labor must be injurious and demoral-

n aware that it is found very difficult in Great Britain to pro-
uitable labor for convicts; but I am satisfied that by combina-
f thought and action among the friends of penal institutions
these objectionable forms may be supplanted by others that
be both useful and reformatory. If the convict cannot be
t a way whereby, on liberation, he may obtain an honest living,
m not be compelled to do that which may enfeeble him and
him dependent on charity, or dispose him to commit further
dations on the public welfare.

I was led more deeply than ever *to feel the inutility, as a gene-
ule, of short sentences.* In the first visit I made, I was surprised
d so many persons confined for periods extending from two to
days, during which time they were generally subject to low
and hard labor. On inquiring the reason for such sentences
reatment, I was repeatedly told that the prevalent practice in
t Britain is to subject those who have been found guilty of petty
ces to a short, sharp, deterrent course of punishment, that they
t be kept from the further commission of crime.

asked if this was the practical result of this course, and was
ed it was not, for that the number of recommittals, which are
y from this class of convicts, was very large, not less than thirty-
per cent, and these have increased ten per cent in the last ten
.

repeatedly inquired of different prison governors whether they
ght such sentences generally useful, and the answer I invariably
ved was an emphatic *no.* Some added that they were baneful
eir effect, and pointed to the large number of recommittals as
f. On asking what they would do with persons who had been
tedly convicted and sentenced for short periods, they replied,
ke every additional offence a heightened aggravation, and impose
portionate punishment."

his has been my conviction for several years. In some cases,
e the transgressor was incautiously led into crime, or where
was no special aggravation, I think the magistrate may, having
inistered rebuke and counsel, advantageously suspend sentence,
pose a fine, or subject the culprit to ten days' solitary confine-
t; but to repeat these short sentences of from two to seven days,

perhaps several times a year, on hardened and p
ors, is very injurious.

These are the sentiments of the Howard A
formed in London for the improvement of pris
say, "These repeated short sentences are very
further committals, there should be sentences o
to form habits of labor, in collective industrial
impart an ability to earn an honest living."

Earl Stanley, some years since, said, in an ad
institutions: "It is proved by a concurrence of t
rarely finds on any social question, admitting o
imprisonments are not reformatory in their effec
dom even deterring, that usually they send bac
hardened than he went in. The difficulty is not
this point, but to choose them. I believe there
a gaol, not a chaplain, not a judge, not a chai
sions, who is not here of one mind." I trust
distant when this united testimony will be pract

6. My visits to the prisons of Great Britian d
tion of *the influence of good laws in lessening t*
When passing through the prison in Edinburg
called by the governor to the fact that the numb
decreased more than one-third since the enforce
McKenzie act, which compels the closing of dr
night at eleven o'clock, and from that hour on
seven o'clock on Monday morning. On inquirin
decrease, he answered, "It is found in the ben
that righteous act." Just before its passage in 1
of Edinburgh passed a resolution appropriati
enlargement of the prison, *but that made the expe*
Then the number of prisoners was five hundred a
had been constantly increasing; since, it has c
and the prison now has but three hundred an
fact most significantly shows the influence of g
ing crime, and yet it is only one of many w
observer will meet.

Here is another still more striking. The foll
the prisoners in the County House of Correction,
cashire, was lately presented by the Earl of Ha
of Lords:

"*The petition of the undersigned, prisoners in the Count*
Preston, in Lancashire, humbly sheweth:

"That your petitioners have had painful experience of
spiritual, produced by beer-houses, and are fully assured th

atest obstacles to the social, moral and religious progress of the laboring
* * * By frequenting them, parents bring their families to disgrace and
d children are familiarized with vice and crime. * * * Your petitioners
been drawn into offences and crimes of which they might otherwise have
d innocent. We speak from our own direct and bitter knowledge, when we
that beer-houses lead to Sabbath breaking, blasphemy, fraud, robbery, stab-
nanslaughters and murders.
r petitioners, therefore, desiring that others may be saved from the fate which
rtaken them, humbly, but most earnestly, pray that your lordships would be
to take such measures as will, on the one hand, lead to the entire suppression
eer-house curse, and on the other, promote whatever may hold out the pros-
wholesome and rational amusement for the working population of the king-

Signed by 247 male prisoners.

s petition," said the late Rev. John Clay, chaplain of the House of Correction
on, a man as eminent for his integrity as for his labors and philanthropy,
rawn up after I had carefully read upward of eighty written statements, by
r different prisoners, and was, as far as I could make it so, a digest of those
nts. * * * As to the signatures themselves, I believe none were ever
artily attached to a petition than these."

the evils of this iniquitous traffic are even more extensively
il in the intellectual and moral condition of the children of
ctims of intemperance. The Rev. W. C. Osborne, the excel-
haplain of Bath jail, who has for many years devoted much
ion to the condition of juvenile delinquents, calculates that
ten thousand children are annually sent to prison, and that by
e largest number of these are the offsprings of intemperate
ts. In illustration and proof of this, the Rev. Dr. Guthrie,
has done so much for the support and promotion of ragged
ls, says in his *Sketches of the Cowgate:*

at the history of the children of Edinburgh, in the original ragged school,
iled in some of the annual reports:

und homeless	72
ith the father dead	140
ther dead	89
serted by parents	43
ith one or both parents transported	9
therless, with drunken mothers	77
otherless, with drunken fathers	66
ith both parents worthless	84
ho have been beggars	271
nown or believed to be the children of thieves	224

hat a horrible array of vice and wretchedness, and all mainly
utable to the baneful, though *legalized*, facilities for procuring
icating drinks.

ere are other laws on the statute books, both of Great Britain
he United States, which have a like demoralizing tendency;
here is not room for further illustration, and the above will

perhaps suffice to draw the attention of some active m
relation which good laws have to the diminution of vice.

7. When inspecting the prisons of Great Britain I co
feeling *the importance of using the prisoner to the utmo*
extent as the instrument of his own reformation. This is,
to me, the very spirit of the celebrated Irish system, whic
duced by Sir Walter Crofton to the Mountjoy and associa
Ireland, with the details of which I was most kindly made
by Capt. Barlow, her majesty's present director in Du
system, while it throws no false guise over crime, has yet n
of revenge. It does not simply seek restitution for the
to society, nor the exaction of so much suffering for s
but it recognizes the manhood of the transgressor, his p
moral sense, and subjection to its power. It seeks to
mind with the wrongfulness of his conduct; with the
degradation and sufferings are self-inflicted; that his o
demand and are associated with his reformation; that he
much toward securing it; and it constantly aids his eff
direction. It tries to save him for himself and for societ
to use the words of Mr. Hubbell, "Let us lift him up.
quire into the nature of his case. Perhaps he is not enti
Perhaps he can yet stand. The man, though doubtin
reality of kindness, begins to be reassured. Mercy speal
him. Benevolence undertakes the labor of teaching hi
deals firmly but compassionately with him. The heavy
the inner prison opens, and he is allowed to step out.
trusted and encouraged. The pleasant paths of wisdo
plain to him, and he begins to feel a desire to walk the
course of obedience and good conduct, he gains the c
justice, who opens a second gate, and the once bruised a
felon passes to another stage, where greater freedom is a
Thus step by step he is encouraged, instructed, lifted u
the time comes to allow him to pass the last iron gate, h
gentle step to take, and he finds a place and takes it in
of virtuous and useful men. No fetters, or bars, or iron
hold Peter longer in prison, when the angel of justice,
truth had appeared to release him. The criminal now ma
on his honor," and he passes to the full enjoyment of fr
soured, disheartened, or hardened, but with thankfulness
he has been subjected to such healthful and reformator
and influences.

Such appeared to me to be the spirit and tendency
convict system. I do not say it can be adopted in all it

nited States; but, whether it can be or not, there certainly
o be, and should be, one equally just, philosophical and Chris-
This is demanded by the interests of the convict, of society,
the requirements of God; and I trust those who are seeking
provement of our prison discipline will not stop till it is se-
Let us have a system in which punishment and pecuniary
hall be subordinate to reformation; which shall nurture and
o the moral affections and sentiments of the human soul, and
horoughly engage the dispositions and efforts of the criminal
realization of its great end.

n connection with this particular, I was also impressed in pass-
rough the prisons of Great Britain *with the importance of*
officers of the right character and qualifications. I have
pleasure in saying that several of the governors and chaplains
appeared to be eminently fitted for their positions, and devoted
ir duties. But it was not so with all. And I see not how,
he rule of appointment which is there generally regarded, the
an be prevented. For while party politics are not allowed, as
lo too frequently with us, to control appointments, yet social,
and ecclesiastical connections have great power. No person,
ver high his qualifications, is eligible for a prison chaplaincy in
nd, who is not a clergyman of the established, or Episcopal
h; nor in Scotland, who does not belong to the established
yterian church. The consequence is that this office is not
quently filled by gentlemen who, though otherwise excellent,
lestitute of the necessary qualifications, and whose cherished
s and habits hinder their cultivation. Such appointments are
se, and often baneful; for no system, however good, will be effi-
ly carried out by persons who are not in sympathy with it.
preaching of the gospel in a perfunctory way, will never pene-
a convict's heart. Everywhere it is of very doubtful utility,
in a prison it does harm, and excites averson rather than love
ie truth. God employs, in the accomplishment of his gracious
s for the sinner's good, instruments in sympathy with himself,
possess his mind, express his spirit, and delight in doing his
. This is the example he would have us follow, and nowhere
more important than among prisoners. It has been truthfully
by the gentleman whose words have been already quoted:
ie development of moral sentiments in the human heart, and
y thing good and noble in the human character, is determined in
r greater degree by sympathy and by silent and unspoken influ-
and example, than by formal precepts and instruction; and in
lace or branch of human society is this position more applicable



than in the management and training of those who are d
liberty for the violation of human laws. Hence the tra
importance of honest, virtuous, able officers at the head o
penal institutions. Men of high powers of mind, great
ability, and long and varied experience, are the only one
be safely trusted in such positions. Such men placed at th
the great penal institutions of our land, with freedom to a
change their moral tone and general character in a very b
of time. If the chief officer be known to possess the requi
fications in point of talent, virtue and experience, his ever
have a mighty influence for good over the whole establishm
may speak but little, only enough to make his wishes kn
yet what he says will be felt in every part of the institutio
subordinate officer should hear him speak kindly to a pris
ing encouragement to his every effort to improve, welcomi
act of obedience, and offering assistance at every step of
ment, there would arise at once a kindly feeling in his ow
toward all the poor degraded creatures within the prison; a
born of sympathy and nourished by that same excellent
The prisoner, being on his part placed under the same kind of
would naturally be moved by the same influences to act in th
spirit; and thus would spring up that mutual good will, sy
and co-operation between officers and prisoners, which are e
elements and agencies in any penal institution that should b
reformatory."

9. I was much interested and impressed by *the efforts m*
Great Britain to give instruction to prisoners. This is fa
generally attended to there than in the United States. Every
I saw had a school room and a regular school master; som
an assistant school master and a school mistress for the fe
All the prisoners needing instruction were obliged to attend
some of the prisons, the time devoted to instruction is one
for three days each week, and in others, one hour every day. R
ing, writing and arithmetic are the branches taught, and the
oners generally seem anxious to learn. I went into several of
school rooms when the prisoners were assembled for instruction,
was permitted to examine their books. The sight was very g
fying; and while I felt that some, from age or long indulged i
rance, would gain but little benefit, the looks of others assured
they had received great good.

At the Mountjoy prison in Dublin, I found that much atte
is paid to the mental improvement of the prisoners. There is
accomplished head schoolmaster, who has one or more assistan

prison schools are subject to the supervision of the national spectors, and are highly commended by them. This attention instruction is maintained through each grade of the Irish ystem, and is largely increased in the third or last. Then, ion to regular daily school lessons, the convict hears five each week by Mr. James Organ, who has been appointed to ice by the authorities, and is fully competent to the task. ctures, judging from what I heard, are of an interesting and ve character, delivered in a style to enlist the convict's attenarge his thoughts, and deepen his desire for knowledge and ruth. I was delighted to mark the indications, given on the of my visit to the Smithfield prison, of awakened intellect gher manhood, consequent on the training they had received is Irish system.

ld that all the criminals in our penal institutions, who cannot d write, were placed under such a course of instruction, and how they may instruct themselves. I know that many of e painfully ignorant, and that this, in many instances, has to vice and imprisonment. To educate them is the obvious the state, and if thoroughly done would be followed with esults. I long for the time when the system of prison disciggested by Mr. Haynes, warden of the Massachusetts State shall be adopted throughout the United States. He says: eading object should be reformation, and my agencies would er religious services, educating the ignorant, giving all who ficient a good trade, surrounding them with officers in whom uld have confidence, prohibiting all irritating language, giving equent opportunities for exercise and recreation, endeavoring nto a flame the slightest spark of manhood that they might nto prison, and finally, when, in my judgment, they deserved ischarge them conditionally — always bearing in mind that re men, made in God's own image, with minds to be improved, th souls to save."

I was greatly surprised in my visits to learn *how very little the s in Great Britain generally yield toward their own support.* ware that the hindrances to self-support there are much greater the United States. But I could not suppress the conviction ey might be made to approximate much nearer to it than at , should the great and good men of that country more generrn their thoughts to the subject.

as astonished when informed by Mr. Tallack, the excellent ry of the Howard Association, that, taking the average of nd and Wales, every prisoner cost the country more than £30

per annum, while the average result of prison labor v
per prisoner. At Exeter county jail, where the male
employed in breaking stones, their average earnings have
one farthing per head per day for the last five years. I
bert, M. P., says he found in one jail the expense per p
there was a considerable number of them, was £79 per
the time had come when the country was spending bet
three millions sterling on crime.

That this state of things is susceptible of great impro
there, I have no doubt, for I found some prisons that ar
to self-support. The objection to the adoption of th
measures whereby it might be secured is, that it wo
unfair competition with outside labor. But this I a
regard as unfounded, for the number of prisoners is s
pared with the public outside, that the competition, i
would be scarcely felt. Then if they do not earn some
their support, the ratepayers must pay the whole expe
will come forth from their confinement to commit fresh
on the public interests. It is of the first importance
should be made as nearly as possible self-supporting.
will not hinder, but promote, the great end of prison di
I trust that public opinion will soon be so far enlighte
ent prejudice will be abandoned, and that measures
secure this end will be universally regarded as advant
to the convict and to society.

11. Finally, my visits to the prisons of Great Britain
conviction of *the need and importance of greater care fo*
prisoners. I regret to say that, generally, this matter rece
attention, except in connection with the Mountjoy pris
There a complete supervision is effectually and most
maintained. But elsewhere, as with us generally in
States, the prisoner is left on his discharge entirely to
not unfrequently soon falls again into crime. In some
ever, there is something done for their aid by benevolen
or societies. The most exemplary instance of this kind
at Wakefield, in Yorkshire. There the excellent gov
prison showed me a large house that had, for a consid
been rented as a temporary industrial home for those w
sirous, on their discharge, of work, but could not obtain

There the inmates are kept employed and receive su
enable them to pay the very reasonable charge for boa
ing, and to save a little for future wants. The persons
mitted to this home are prisoners discharged from th

iding prison, at Wakefield, who apply for admission within
1 days of their discharge. No temptation is offered to remain
it, but on the contrary the purpose to obtain work elsewhere
uraged. In consequence, the wages paid are not quite as
those received by working men in the district around, and
is allowed to remain beyond a certain time. This home is
he general supervision of the governor of the prison, who
reat interest therein. It is admirably managed. Last year
ere admitted 126 persons, 119 of whom were discharged pris-
nd seven were destitute persons from the town.

greatly gratified to find that a similar home had been provided
harged female convicts, and that the excellent lady of the
or devoted much time to its welfare. This also was in a pros-
condition and doing much good.

efforts for the welfare of discharged convicts are an individ-
l public benefaction, for the period of their liberation is pecu-
critical. Their good intentions and actual improvement in
are then severely tested. The question is then to be decided
r they shall pursue the path of virtue, or return again to crime.
weeks will commonly decide the point. The trial is often
y severe to the liberated convict. The temptations which sur-
him are often very strong and pressing. There is a great con-
his soul. He wishes to do right, but is strongly urged to do
. He wishes to stand, but knowing his weakness he fears he
fall. He would do good, but evil is present with him. At
time he especially needs some kindly influence thrown around
nd some friendly hand extended for his aid. These he ought
ve. The public owe the benefaction to him and to themselves.
necessary to the consummation of their reformatory measures,
t is all but essential to the prevalence of his good purposes and
s. If it is afforded, he will probably be kept from the path of
, and pursue that of industry and virtue; but if it is withheld,
revious efforts for his amendment will be likely to fail; he will
me more hardened in sin and more embittered against society,
will return with greater violence to criminal pursuits. May the
soon come when there shall everywhere be exercised a wise and
ficent care of those who have been discharged from the prison
e.

XVI. EDUCATION IN PRISONS.

By the Corresponding Secretary.

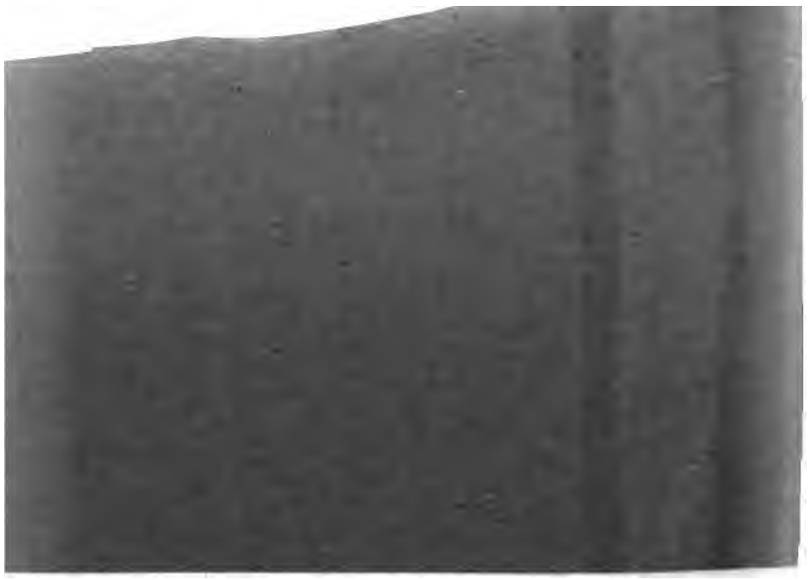
That ignorance is a fruitful source of crime is proved by
and admitted by all who have examined the question. I
therefore, consume my own time or the reader's, by enlargin
point, further than to say that no one can even glance over th
penitentiary returns in the United States, without being c
that, everywhere, a very large proportion of the crime is comm
a very small class of the population — the totally illiterate.
the returns of the State prisons in the several States of ou
for 1867, it appears that, on an average, exactly twenty-five
of the prisoners, at the time of their committal, could not re
the proportion of the illiterate imprisoned in common jails
greater. I am not in possession of jail returns for 1867 to an
extent; but in the jails of New York, so far as examined i
the proportion of those unable to read was fully one-third. N
three per cent of the adult population of this State includes a
cannot read, it follows that thirty-three hundredths of the cr
committed by three hundredths of the people. But even this
ment does not show the full effect of ignorance in the producti
crime. Many of those put down in the tables as able to read p
that power in but a limited degree. They have no such maste
the art as enables them to use it either as a means of recreatio
an agency in moral culture, or an aid in getting a living. They
with so much labor and so little intelligence, that they can n
resort to it for amusement, instruction or moral improvement
have personally tested scores of prisoners in this matter. I rem
ber, on one occasion, having tried several on the first verse of
second chapter of Luke. One thought that "decree" signifie
large candle; another that "taxed" meant to charge, as to
a man with stealing; while a third said if any body had told him
word, he should think it meant making folks pay money, but as
was in the Bible, he didn't know what it meant.

This deplorable ignorance, on the part of criminals, involves t
duty, on the part of society, both for its own protection and the go
of the criminal, to use the necessary means for its removal, when
has been convicted and imprisoned. I propose, in the present pape
to inquire how this duty is performed.

erve first, in a preliminary way, that the duty is not discharged country, as thoroughly as it is in England. Not only in the prisons of Great Britain, but in the borough and county as well, the school master is almost as uniformly on the pri- f as the governor, and the library is as common as the chapel. ne is true as regards the only convict prison in Canada, the ial penitentiary at Kingston. A teacher is employed there, es his whole time to the instruction of the illiterate convicts. ided in his work by a number of assistant teachers, selected ose of the prisoners, whose education and conduct are such as e them to this distinction. He finds in them efficient helpers, their duty to his entire satisfaction. The branches taught ding, writing and arithmetic; and all attend the school, who struction therein. There are four classes — a morning class hours; a mid-day class for half an hour; an afternoon class hours; and an evening class for the same time. Though the is alone and unarmed in the midst of felons, sometimes to nber of sixty, they observe perfect decorum and order. They ry highly the opportunities afforded them, and apply them- to study with a commendable zeal and success. Their or instruction and knowledge increases in proportion as it is d.

Frederick Hill, in his work on crime, informs us that in the h prisons — and I think the same is now true of English pri- so — every prisoner, whether male or female, who is sentenced e months' confinement or upward, has an opportunity of learn- ding, writing and arithmetic; and in many of the prisons, the ge of attending the school is extended not only to the illiter- t to all who desire it, even to those who have previously d more or less advantages of education. I am sorry to be l to state that in American prisons the opportunity for such improvement is much narrower. Indeed, the history of instruction in them is short and meagre; though, happily, as seen, attention is now more widely than ever before directed subject, and an interest has been awakened in it which prom- re work and better results in this field for the future, than it er been our pleasure to chronicle in the past.

he present treatment of this question, I propose, first, briefly ch former efforts in this direction; secondly, to show what is now; thirdly, to call to the stand and interrogate witnesses — officers — most competent to form and utter opinions touching eat interest; and, fourthly, to offer, in conclusion, a few general s on the importance of the work.



I. Brief Account of past Movements, looking to the of Convicts in American Prisons.

The earliest record I find on this subject is in a report in Senate of New York, in 1822, by a committee of that bc criminal law. Speaking of the State prison in Greenwich mittee say: "Schools are established in the prison." Be naked statement no information is given. It is not likely efforts amounted to much, as the committee go on to say prison had utterly failed as an agency for reformation, bu contrary, was itself a seminary of vice and a fountain of cri

In 1826 Gershom Powers, warden of Auburn prison, esta Sunday school in that institution, the primary object of whic teach the illiterate prisoners reading, writing and arithmetic combined with this were lessons of a religious character, des impress upon their minds the sense of moral and spiritual ob The school was opened in May, with fifty of the most ignor victs, whose ages did not exceed twenty-five years; and by N the number had increased to one hundred. The school m morning and afternoon. The privilege was eagerly embraced convicts. Their application was unremitting, and their p beyond all expectation. An interesting feature of this exp was, that convicts were successfully employed to aid in the i tion of classes in arithmetic and writing.

About the same time (1827), Moses C. Pilsbury and his son, Pilsbury, were called from the State prison of New Hampsh the new State prison, just erected at Wethersfield, Conn. The was at that time the leading prison officer in America, and t has since become so, eclipsing even the fame of the sire. The ber of prisoners being small and there being few who required cal treatment, these gentlemen held a prison school, themselves a as teachers, in the prison hospital, where, on several evenings of week, they instructed such of the convicts as needed it in the necessary branches of learning. Lessons were continued in the pital for some two years, after which they were given to the pris individually in their own cells — a practice continued in that pr to the present day.

In 1829, an act was passed by the Legislature of Kentucky, req ing the warden "to cause the convicts unlearned in reading, wri and arithmetic, to be taught in one or other of these branches at l four hours every Sabbath day; with a proviso annexed that the pense should not exceed $250 per annum;" but this sum was to co the cost of a sermon for each Sabbath, as well as that of secular struction. Mr. Joel Scott was at that time at the head of the pris

and during the remainder of his wardenship — a period of five years — the law was enforced, and instruction given in accordance therewith. The convicts were taken from their cells on Sabbath morning, and spent the day, meal times excepted, in receiving religious instruction and in learning to read, write and cipher. Mr. Theobald succeeded Mr. Scott, and during his incumbency the secular instruction was discontinued. It was, however, revived under his successor, Mr. Newton Craig, and prosecuted with vigor and success. The educated convicts were now employed in teaching the illiterate — an arrangement reported as "working well." The school was found to be a material aid in promoting the reformation of the prisoners.

The same year in which Kentucky enacted the law just noticed — 1829 — a committee reported to the Legislature of New York that an apartment for "a chapel and school room" was about being finished at Sing Sing. Probably a room for Sunday school is meant, since, although no such school was then in existence, a year or two afterward the chaplain speaks of one as in successful operation. It is, at any rate, plain from his report that the instruction imparted was largely of a common-school character. He says that the school consisted of some eighty men, all of whom were unable to read on entering; and adds that they showed an intense desire to learn and a progress corresponding to their zeal.

In the report of the Boston Prison Discipline Society for 1841, three items of interest are recorded, bearing on the subject of secular instruction in prisons. The first is a statement that, in the house of correction at South Boston, a school was taught by the clerk two hours each day, with the best results. The second is a declaration of William H. Seward, then Governor of New York, in his annual message to the Legislature, in these words: "I would have the school room in the prison fitted up as carefully as the solitary cell and the workshop; and although attendance there cannot be so frequent, I would have it quite as regular." The third is a plea by the chaplain at Wethersfield, Rev. Josiah Brewer, in his report of that year, for secular instruction to convicts. After urging that attention to the elementary branches be exacted of the illiterate, he adds: "And why should not oral instruction, by lectures on the practical concerns of life and various topics of history, science and literature, be imparted to all?" Mr. Brewer here shows a grasp of his subject far in advance of his cotemporaries at that early day. The lectures of Mr. Organ, in the intermediate prisons of Ireland, and those which have, as we shall see, been recently established in several of our American prisons, are here clearly foreshadowed a full quarter of a century ago.



The next year, 1842, increased means of instruction was
a committee of the Legislature of Connecticut in reference to
prison. They say: "The committee would recommend t
oners, in small divisions, should, in rotation, have time an
tunity of receiving instruction from the chaplain;" with mo
same effect. The same year, the directors of the prison ad
set of regulations relating to the chaplain, one of which w
"he shall use his utmost endeavors to instruct, through the
of the cell doors, all those who are unable to read."

About the same time, the chaplains of Auburn and Sir
prisons were pleading hard, and piling argument upon argum
an enlargement of the means of instruction in their respective
They insisted that it was equally the dictate of philanthro
statesmanship that larger provision should be made for the ed
of the convicts, alleging that thus only could they be prepa
become, on their release, better sons, better husbands, better
and better citizens.

In 1847, a prison act was passed by the Legislature of New
which provided that teachers should be appointed for the three
prisons, proportioned to the number of prisoners in each. Thi
the first law ever enacted in the United States, creating a di
class of officers to instruct prisoners in secular learning. Unf
nately, the intent of the law is, in a great measure, nullified b
smallness of the salary attached to the office of teacher—$1
which makes it necessary to restrict the teaching to an hour a
half daily; and its good effect is further abridged by confining
instruction to the evening, and requiring the lessons to be g
through the grated doors of the cells.

Other States have followed the example of New York. Gener
this business is given into the charge of the chaplains, and not un
quently they are required to do the teaching themselves; some ti
in a school room, but more commonly at the cell door.

I ought not to close this branch of my subject, without stati
that as early as 1833, flourishing Sabbath schools existed in at le
ten of the State prisons of the United States; and, further, that o
leading object pursued in them was to impart the elementa
branches of learning—reading, writing and arithmetic—to tho
convicts who were ignorant of them.

II. What is now Doing in the way of Educating Prisoners.

Having thus sketched, as far as my knowledge and a judicious
brevity would permit, the origin and progress of secular instructio
in American prisons, I now proceed to exhibit the actual state an
condition of this important agency in these institutions.

On receipt of a request from the Hon. Henry Barnard, U. S. Commissioner of Education, to prepare for him a paper on education in prisons, I addressed a circular to the wardens and superintendents of all the leading prisons in the United States, containing the following interrogations:

1. Have you a regularly organized school in your prison; and if so, how is it conducted; what branches are taught; and with what results?

2. If you have no organized school, is secular instruction given to such persons as need it; if yes, how frequent and of what length are the visits of the teachers; what branches are taught; and with what results?

3. If both of the above questions are answered in the negative, have you a Sabbath school, in which secular instruction is given; and if so, to what extent?

4. Have you established a course of lectures for the benefit of the prisoners; if so, please state of what character they are, how often given, and what results are observed?

5. Do illiterate prisoners, in general, show a desire to be instructed?

6. Are you in favor of increasing the facilities of education to prisoners during their incarceration? If yes, what would be your plan for accomplishing the object, provided you had full opportunity of arranging matters according to your own views?

7. What is the number of volumes in your library?

8. What proportion of your prisoners are able to read with such facility as to derive entertainment and instruction from the exercise, and do such as are thus able avail themselves of the privilege, and show an interest in and improvement from it?

To the above questions, I received answers from twenty-four prisons, written either by the wardens themselves, or by the chaplains at their request. The institutions from which answers were received were the following, viz.:

State Prison, Wethersfield, Connecticut.
do Joliet, Illinois.
do Jeffersonville, Indiana.
do Thomaston, Maine.
do Charleston, Massachusetts.
do Stillwater, Minnesota.
do Jackson, Mississippi.
do Auburn, New York.
do Clinton county, New York.
do Sing Sing, New York.
do Providence, Rhode Island.
do Nashville, Tennessee.
do Windsor, Vermont.
do Richmond, Virginia.



tion are confined on an average only seventy or eighty
'regularly organized school,' embracing a course of s
deemed practicable. We have a class made up entirely
cannot read at all, another class of those who read i
These classes are convened three evenings each week, an
by 'Webb's Word Method.' Then, *all prisoners* are privi
tend the lecture course, which is of an educational type a
especially to stimulate the prisoners to thought and a desi
These, supplemented with a well-selected library, constai
ished with such books as there is a demand for (when the
healthful one), constitute our educational system for the cl
sons confined here. The results from efforts at primary
are satisfactory so far, but not fully developed; results fr
system, all that can be desired."

In four State prisons instructors are employed and pa
State—the three in New York and the Eastern penite
Pennsylvania—to give instructions to illiterate convicts a
doors; and in two—Connecticut and the Western (Pa.) pen
—it is made incumbent on the chaplains to give lessons on
plan.

In the Eastern penitentiary two instructors are employ
teach seven hours a day each, going from cell to cell, and
their lessons not at the door but within the room. They spe
fifteen minutes on each, and get round about once a week, so
convict receives, on an average, from ten to thirteen hours'
tion in the course of a year. They are taught to read, wr
cipher, and it is surprising how much they learn in this way.
who did not know a letter on their entrance acquire, during
imprisonment, a competent knowledge of these branches, and
become proficient in them. The mental training thus recei
found to have a threefold utility: It aids discipline, promotes
mation, and enables the prisoner, on his discharge, to improv
condition and become a more useful citizen. Instruction is giv
the Western penitentiary by the chaplain, on the same plan, th
of course with less continuity. But instruction here appears n
be confined to this method; for in his report for 1867, the cha
states that the library is used as a place for giving lessons, whic
denominates a *school room;* that much attention has been dev
to this work; that good progress has been made by the convicts; t
their behavior in school has been blameless; that two of the c
victs were employed in the library as teachers; that the pu
showed a strong desire to be taught, and that 250 received instr
tion in the common branches of an English education. This, I thin

will be regarded as a pretty fair record; but it certainly does not evince a *bigoted* attachment to the Pennsylvania system.

In the Connecticut and New York State prisons, the lessons are given after the labors of the day are closed and the prisoners have been locked up for the night. In the Wethersfield prison, where both the number of prisoners and the proportion unable to read are comparatively small, the visits for purposes of instruction are both more frequent and longer than it would be possible to make them under other circumstances. Hence the answer of the chaplain is: "Reading, writing, arithmetic and some of the higher branches are constantly taught, more or less, as we have subjects." He further says that he sometimes has a *class* of female convicts, whom he is teaching to read, and who meet in the sewing room after their labor is done.

But in the New York prisons, it is different. The case is thus truthfully sketched by the chaplain of Clinton prison: "Secular instruction is given in their cells to all convicts who desire it. Two teachers are employed for one and a half hours each for six evenings in a week. The branches taught are: reading, spelling, arithmetic and writing on the slate. The results are as good as could be expected from the system. With the utmost fidelity on the part of teachers with an average of 200 scholars (our average is nearer 250), it will be seen that less than five hours per year, or one minute per day, could be devoted to a scholar. No large results, of course, can be expected. Three hours per scholar, or an aggregate of half a day per year, amid the incitements of a well conducted school room, would, in my opinion, be equal in benefit to the present system. A few men make good progress under this system; but the same ones, supplied with books and lights, would do nearly as well without teachers, as with." The chaplain at Sing Sing states the result as "beyond expectation;" the chaplain at Auburn, as "most satisfactory." How shall we adjust these differing opinions as to the working of one and the same system? In part, perhaps, thus: In Clinton, the convicts, being employed on "State account," work the whole day; in Auburn and Sing Sing, being mostly on contracts, they have tasks, which nearly all finish an hour or two before the bell rings for locking up, and some quite early in the afternoon. Now, after completing their tasks, the convict scholars, by permission of their keepers, often get help in their lessons from fellow prisoners of better education than themselves, and so make their progress less slow than it would else be, and sometimes even quite rapid.

Under the present state of the law in Illinois, the State prison commissioners, who are gentlemen of enlightened and liberal views

and inclined to the introduction of changes which are
ments, do not feel authorized to make so great an i
institute a school and take the convicts from their w
length of time for beneficial attendance. Such bein
warden, Gen. Dornblaser, who seems intent upon d
for the good of the convicts, has adopted a plan to su
of education, which is thus described by himself: "
tion is, to a limited extent, provided for such prisoner
their own cells. For this purpose the chaplain has a
of the services of educated convicts; one of whom is
of the main apartments of the prison. The course pu
ing is nearly as follows: Certain studies are allotted
ing; the teachers visit each pupil, and spend from
minutes in explaining the lesson; catechising him o
lesson, and encouraging him to persevere. All the
common school education are taught; in some cases,
and the higher English branches are also taught. Imp
appliances are, they have nevertheless produced very
not satisfactory results. They have awakened not only
a universal desire among the convicts for intellectual i

In quite a number of State prisons, instruction in
branches of learning is given in prison Sunday schools.
case in the Massachusetts prison, where convicts unab
taught for an hour every Sunday; besides which, writi
school books are furnished to all who wish them for use
In Maine, lessons are given to convicts in their cells on
Considering the limited opportunity thus afforded, the
"learn very rapidly indeed," and to be "better content
behaved in consequence of the little instruction that is g
There are classes learning to read in the Sabbath schoo
sons of Connecticut and Southern Indiana.

In Rhode Island illiterate prisoners receive secular
the close of the Sunday school. Volunteer laborers from
come regularly and take charge of classes of convicts a
and, further, the officers of the prison, after working ho
days, cheerfully and without constraint, teach all who
their cells. The result is stated by the warden in th
"Such is the zeal on the part of the prisoners to lear
very soon acquire sufficient knowledge to entitle them t
the prison library and to participate in the Bible clas
they show great aptness and make marked progress."

In the Sabbath school of the Tennessee penitentiary, th
are taught spelling and reading by "a full corps of male

teachers." In Virginia, all the convicts attend Sunday school. They are divided into classes from A B C to the study of the Bible, taught by volunteer workers, mostly from the Society of Friends. The sessions continue for two hours every Sabbath afternoon. Beyond this, the warden tells us, "prisoners are allowed to visit each other in their cells, for the purpose of giving and receiving instruction. Great progress is made."

The warden of the Vermont prison says: "We instruct once a week, for one hour or more, such of the younger convicts especially as are disposed to attend to the rudiments of reading, spelling, arithmetic and geography, with such aid in respect to writing and other branches as appear practicable."

There is very little lesson-learning in any of the prisons of a grade intermediate between the State prison and the common jail, except the Detroit House of Correction. The reason for the omission is well stated by Gen. Pilsbury, of the Albany penitentiary, in an extract from his replies, which will be given in a subsequent part of this paper. Something, however, is done in this direction. In his own prison, Gen. P. says that every prisoner desiring it is furnished with school books, slate, etc., and is occasionally instructed by the chaplain, superintendent and clerk. The superintendent of the House of Correction, at Northampton, Mass., says: "Occasional instruction is given to those who cannot read, with gratifying results." The chaplain at East Cambridge states: "Such of the prisoners as desire it are taught to read by the officers at the request of the warden, or by each other, or by visitors. As regards the female prisoners, two ladies spend an hour each week in teaching them." The following statement, by the superintendent of the South Boston House of Correction, exhausts my budget of information touching the educational facilities of the class of prisons now under consideration. He says: "No secular instruction is given other than supplying prisoners with elementary books when asked for."

Courses of weekly lectures of a miscellaneous character, during the winter months, have been instituted in four prisons, viz.: the State prisons of Massachusetts, New Hampshire and Rhode Island, and the House of Correction of Detroit. The course in Rhode Island has but just been established, and in reference to it the warden says: "Its results will, I do not doubt, be very beneficial. The character of the lectures will be varied — temperance, travels, chemistry, etc., etc. There can be but one result — that of elevating the prisoner in the scale of morality and sociability, and cultivating his self-respect."



In the other prisons named, lectures have been ma
several seasons. The testimony in regard to them i
emphatic. Thought quickened, knowledge gained, the a
it whetted, manhood developed, cheerfulness and indus
discipline improved, good purposes begotten, good habi
or strengthened, and reformation advanced — these are t
issues of this agency, while yet in its early infancy. I
report, Mr. Haynes, of the Massachusetts prison, says: "
unnecessary to say that the lectures were highly successful.
appreciated by the inmates of the institution. Great goo
already accomplished through this agency, and still more
pated in the future." Mr. Brockway, of the Detroit Hou
rection, thus expresses his appreciation of the value of th
mentality: "The observed results are increased demand
and those of a higher type; improved conduct as relates to
pline; increased interest in religious truth; and very marke
in the tone of public sentiment in the prison."

Mr. Cordier, of the Wisconsin state prison, whose o
whether derived from experience, observation or reflect
always entitled to weight, remarks: "We have not estab
course of lectures for the benefit of the prisoners. I have
several times, to engage gentlemen for that purpose, but
my efforts. I believe that such lectures, if bearing on the
condition of the convicts, the causes of their fall and the me
reformation, would be of great benefit."

The question whether prisoners without education show a
to be instructed, was almost uniformly answered yes, or no, acc
as the prisons answering do or do not offer the means of in
tion. And this would naturally be so, since, where the mea
instruction are wanting, the desire for it has little or no basis t
upon; whereas, where the means exist and their fruit is seen
wish for education is like "leaven hid in three measures of m
it works and spreads till the whole mass is vitalized. There
subtle infection, which passes from mind to mind; the soul is no
excited, quickened. This is the logic of reason, and the logic
facts is the same; they yield one result. Accordingly, the war
of the Wisconsin prison says: "The convicts do show a great de
to be instructed, even the aged." The warden of the Rhode Isl
prison replies: "The illiterate prisoners show a strong desire to le
that they may enjoy the use of the library and the privilege
writing to their friends outside." The warden of the Virginia p
son testifies: "The uneducated among the prisoners manifest a ve
great desire to be taught. More than a hundred who did not kno

a letter of the alphabet last April, can now read in the Testament." And such is the general testimony, the key-note of which is sounded in these sentences.

III. Opinions of Prison Officers on this Question.

The sixth interrogatory sent out for answer, it will be recollected, calls for the judgment of those to whom it was addressed, on two points: first, as to the policy of enlarged means for education in prisons; and, secondly, as to the proper form and method of instruction in a penal institution.

The first witness whom I propose to call upon the stand is the Nestor of jailers on this continent; an officer whose fame is not bounded either by State or national lines, and whose name is almost as well known in Europe as it is in America. Amos Pilsbury, who has been honorably known as connected with prison administrations in this country for well nigh half a century, is an authority on this subject, whom all men will respect. His testimony is given in these words:

"The mental part of man being that which distinguishes him from the brute creation, I am in favor of universal mental culture, to the highest degree, in every case, consistent with the capacity of the individual and with his performance of the manual labor and other duties essential to the proper support of himself and the fulfilment of his obligations to society. Experience has, unhappily, demonstrated that the possession of education is not incompatible with the commission of crimes of every kind; and we have seen many melancholy examples of very highly educated men falling victims to drunkenness and other degrading vices; but these striking illustrations of the inherent depravity of mankind cannot shake the reasonable conviction that the general diffusion of knowledge must improve and strengthen the general sense of morality.

"When a taste for reading is acquired, the power of temptation to the grog-shops and other low places of amusement is greatly weakened; and even the most elementary instruction in the laws of physiology will do much to deter men from indulgence in the common vices, which are so destructive to both body and brain. For the reasons either expressed or implied in the above remarks, I have no hesitation in saying, that for the good of the community as well as for the benefit of the individuals immediately concerned, I should cordially approve some increase of 'the facilities of education to prisoners during their incarceration.' But in order to accomplish this with any decided advantage in an institution like the Albany penitentiary, some new legislation would be required, and especially

regard to the terms of imprisonment. During the twenty years nded October 31, 1868, out of 18,392 prisoners committed to this enitentiary, 13,512, or about three-fourths, were committed for rms less than six months; and much the larger portion of these for nly thirty or sixty days. The great majority of these numerous ort-term prisoners are mentally and physically so debilitated by runkenness or other vices at the time of their commitment, that ey can scarcely be got into proper condition to commence receiving ducational instruction before the time for their discharge arrives. will, therefore, be almost hopeless to undertake any general system f education in this institution, until the laws are so amended as to equire the committing magistrates not to send prisoners here for less an six months,—as short a time as any prisoner ought to be ntenced for to benefit him after his discharge. This done, and one being received for a less period, I would have the prisoners xamined and divided into two classes: 1st, those who can read, rite and cipher well; 2d, those who cannot. I would limit the aching to these three essentials. Any thing beyond that, the pri-ner should be left to acquire by attention to the course of lectures hich ought to be provided for, and by reading the books weekly istributed to the cells out of the prison library. That class who are norant of or imperfect in reading, writing and arithmetic, should e taught by competent teachers appointed for that purpose. All e prisoners should be assembled in the chapel for an hour in the vening, after supper, once or twice a week, to hear suitable lectures n moral duty; on the laws of mechanics, on physiology or on ygiene. Occasionally, there might be a useful lecture on some ther subject, but the themes above mentioned are those upon which would advise the most frequent and thorough lecturing. While e chapel would afford the required accommodation for the proposed ctures, a suitable building, divided perhaps into several rooms, ould need to be erected for school purposes. All the instruction ight be given in the evening, as a useful recreation after work ours, so as not to interfere with the operations in the work shops. am not strenuous on this point, however, but would readily leave e details to be arranged as experience may dictate. Such a plan s I have indicated, it is obvious to remark, would require additional fficers, teachers, etc.

"This is a brief outline of my views. There are various details hich the working of such a system would no doubt suggest for the provement of it from time to time; and, as I have already indi-ated, legislation would be required to enable this or any other plan r secular instruction in prisons to be fulfilled. But all the educa-

on they might receive would be of little benefit, unless they can pon their discharge be assisted to obtain situations, and encouraged keep the good resolutions they may have formed."

Gen. Dornblaser, warden of the Illinois State penitentiary, expresses his view of the subject in these terms: "I am decidedly in avor of increasing the facilities of education to prisoners during heir incarceration. The plan that seems most feasible to me, as pplicable to this institution, is briefly as follows: A citizen teacher, on whom should devolve the entire management of educational appliances; a corps of convict teachers as assistants; the organization of regular day classes; each gang of prisoners (as defined by their workshops) to constitute a distinct school; an hour a day to be allotted to the instruction of each school; uniformity of text books, and an adequate illustrative apparatus. A lecture to be given weekly to each school on some subject of general interest. This for the day school. From the time the prisoners are locked up at night to the hour of retiring — which should be not earlier than 9 nor later than 10 o'clock — I would have a convict teacher placed on each corridor of the cell houses to supervise and direct the prisoners' studies. I would also place in every shop a few carefully-selected daily and weekly journals, to which the prisoner, after his task is performed, could have access. I deem this suggestion of the highest importance; for a man removed from active participation in the affairs of life for a term of years must have some such facility to enable him to keep pace with passing events. It must, in the nature of things, be extremely difficult, if not impossible, for a man after such seclusion to succeed in the competitions of life; and it seems a duty that the State owes to the convict, to fortify his purposes of amendment by such a knowledge of the world as is requisite to success. The prisoner's mind should be constantly occupied during his relaxation from labor. Idleness is the source of that destructive habit, self-abuse. The plan of education sketched above would not only tend to destroy this habit, but would, in my opinion, so refine and elevate the man, that a relapse into crime would seldom occur. But to derive the greatest benefits from this system, it would be necessary to encourage the prisoner to perseverance by rewarding his efforts with an extension of the time abated from his sentence on the score of meritorious conduct. This is the most powerful incentive you can possibly place before the prisoner; and, by a judicious arrangement, I believe the highest hopes of reformation may be realized."

Mr. Rice, of the Maine prison, says: "I reply 'Yes,' decidedly, to this question. I would employ the *right kind* of person for chaplain, who should give his whole time and ability to the moral,

eligious and mental improvement of the convicts. He could preach nce a week, have a Sabbath school on Sunday, and instruct the gnorant during a part of each day in the week. One man could do *great amount* of good in a prison of the size of this;* and the State ould be rewarded fourfold, *pecuniarily*, for the amount paid him as alary."

Mr. Haynes is brief, but decided: "I would devote," he says, "an our, at least, every day to that purpose;" by which I understand im to mean that every prisoner needing it should have a full hour f instruction daily; not, of course, individually, but in his class.

Lieut. Hynes, of the Mississippi State penitentiary, thus delivers is opinion: "I would have, at least, two hours per day devoted to iving instruction to the convicts, with one or two competent teachrs, assisted by such of the convicts as were capable and willing to ssist, and whose conduct warranted their being allowed to particiate in such an important trust. I would have a regular school-room nd a liberal supply of all necessary books, and suffer every convict o advance his education to the highest possible degree which his talent, ndustry and inclination might lead and his time permit him to ttain; and I would have every cell lighted at night, that the convict ight have a chance to read and study until 9 o'clock."

Mr. Viall, of the Rhode Island prison, gives his judgment in these ords: "As I desire the increase of facilities for the education of risoners during their incarceration, my plan of accomplishing that bject would be—First, not to allow the labor to be let to contractrs, but employ it under State officers, and in the manufacture of uch articles as would give the prisoner a good and profitable trade, hat when he left the prison, he might be able to earn an honest livehood for himself. Much injury, as well as injustice, is now done o the prisoners by permitting cheap and, many times, bogus articles o be manufactured by them under contract—thus teaching the conict to practise the very crime for which, perhaps, he was incarcerated. This evil is one of the greatest obstacles in the way of nproving the moral condition of the convicts, and can only be emedied by removing the cause. Secondly, to permit occasional hysical and other exercises in the prison yard, under proper restraint, ould, unquestionably, be highly beneficial—developing the physial faculties and preparing the mind to receive more readily the seful instructions imparted to it."

Major Wardwell, of the Virginia prison, returns the following nswer: "For this institution I would have at least two teachers,

* The average number of prisoners is rather under than over 100.—Con. Sec.

who should devote their whole time to instructing the convicts. I would make the school obligatory for all. I would give *education* a broad, wide field. I would have it varied and pleasant, comprising *music* for all."

Mr. Cordier, of Wisconsin, offers the following as his view of the question: "I am in favor of increasing the facilities of education to prisoners during their incarceration. If left to me, I would set aside at least twelve hours per week for educational purposes, to be devoted to the illiterate convicts. I would employ a regular teacher, and he, with the help of some assistant teachers to be selected from the educated and well-behaved convicts, should instruct particularly in writing, reading and arithmetic. I would make it also his duty to visit his scholars in their cells, and superintend them in learning their lessons for the next school hours. The time set aside for educational purposes and the number of teachers applies to our prison, or to two hundred convicts. For the more advanced prisoners I would establish a course of lectures, to be held on evenings."

I close with a high authority, that of Mr. Brockway, of Detroit. He says: "I think we are doing in this prison all that it is advisable to do *now** in this direction. I believe in the *intellectual culture* of prisoners as a means of their elevation in the social scale, and that this, with physical and moral culture intelligently applied, is the true way of work for their reformation."

There are two interrogatories relating to prison libraries; but as I propose adding a short separate paper on that subject, I forbear all present reference to the answers.

IV. Importance of Educating Prisoners

This is so fully impressed or involved in preceding portions of this paper, that little need be added on the subject. A visitor to a prison, shocked at the profane speech of a convict, said to him, "Why do you not have better thoughts?" "Better thoughts!" was the forlorn response, "where shall I get them?" In that question, coming to us from a felon and an outcast, we have the whole philosophy of crime and reformation. "Better thoughts" is what society should have given him to prevent his fall. "Better thoughts," now that he is imprisoned for crimes that would probably never have been committed but for her dereliction, is what she is bound to give him, that when released from the grasp of justice, he may "go and sin no

* The "now" is presumed to refer to the shortness of the sentences, and the implication is that increased terms of imprisonment would warrant and require increased attention to educational work.

more." This is just what is proposed in the education of prisoners —to expel old and evil thoughts from their minds, and to furnish them materials for new and better ones. It is vain to talk of ignorant, inert and depraved minds profiting by their own unaided reflections. They will either sleep over these or do worse. No, convicts must be assailed from without. They must be plied with mental stimulants in the form of lessons, lectures, discussions, books. Their minds must be kept alive and alert. Thus will "better thoughts" by degrees find entrance, and expel the corrupting images hitherto most familiar. Many a devil, as Capt. Machonochie has said, will in this way be kept out, and perhaps some good angels let in.

The education of imprisoned criminals is vital to their reformation; their reformation is vital to the security and other high interests of society. Even persons who are most sceptical on the subject of reforming convicts still agree that every opportunity and every facility should be given them for improvement; and that at least a foundation for moral knowledge should be laid by imparting the rudiments of education to those who are ignorant of them. For myself, I would go much further than this. I think that a penal establishment — especially in the later stages of improvement, which should have less of a punitive and more of a reformatory character impressed upon them — ought to be, as it were, a great school, in which almost every thing should be made subservient to instruction in some form — mental, moral, religious or industrial. Of course, I would have school rooms fitted up and classes formed, into which should be gathered such convicts as are in similar stages of advancement. In addition to which I would have libraries, lectures, competitive examinations, and all other needful appliances suited to excite and gratify a rational curiosity. In a word, I agree in opinion with Mr. F. B. Sanborn, the late intelligent secretary of the Massachusetts Board of Charities, who, in his evidence before a commission of the Prison Association in 1866, said: "I doubt if the instruction of prisoners has ever been carried far enough anywhere; even in Ireland it would be possible to improve it. I would have *all* convicts taught something, and put in the way of teaching themselves. As a class, they are wretchedly ignorant, and have sinned through some form of ignorance, conjoined with vice. To educate them is the plain duty of the State; and, when seriously undertaken, such efforts would show important results. A portion of each day, as well as the evening, should be given to this duty; and those not compelled to labor should be stimulated to some mental occupation, as a defence against bad habits and evil thoughts."



XVII. LIBRARIES IN PRISONS

By the Corresponding Secretary.

Prison libraries, now regarded as an essential aid to discipline and reformation, are of a later date, as a general thing, than efforts to educate the more illiterate inmates of our penal institutions. Of such efforts, indeed, they are but the natural sequence and outgrowth.

In my researches into the history of prisons in America, the earliest notice I find of efforts looking toward the creation of a prison library, is contained in a code of rules and regulations enacted by the inspectors of the Kentucky penitentiary as far back as 1802. One of these rules is: "The convicts shall be encouraged to employ any leisure time in reading; *donations of books will be thankfully received;* and the keeper shall take care of them, and procure a list with the names of the donors." This regulation was creditable to the intelligence and liberality of the board; but what fruit it bore, I am not able to state.

A long interval passed before any further action, as far as I know, was anywhere taken on this subject. In 1840, a library was established in the State prison at Sing Sing, during the incumbency of David L. Seymour as warden and the Rev. John Luckey as chaplain. These gentlemen applied to Gov. Wm. H. Seward to furnish, or procure to be furnished, funds from the public treasury for the purchase of books for the use of the convicts. He replied that there were no State funds applicable to such a purpose, but directed them to get such books as they deemed necessary, and send the bill to him. About three hundred dollars' worth were purchased, and Mr. Seward paid the bill out of his private purse, thus making a donation to the State of the first prison library ever created in New York, if not indeed in the United States, except what might have been done in that direction in Kentucky, as the result of the action of the inspectors of the penitentiary, which is not likely to have been any thing very considerable.

The following year — 1841 — the sum of one hundred dollars was appropriated by the Legislature of New Jersey to lay the foundation of a library in the State prison at Trenton; and as early as 1847, we find libraries — generally small — existing in most of the State prisons of the country; that of Ohio, however, reported a library containing 3,000 volumes.

The commencement of one prison library is so unique, and at the same time so interesting, that I cannot withhold it. In the autumn of 1846, a clergyman from Illinois, on invitation of the chaplain, conducted the usual evening service in the Massachusetts State prison. He expressed his particular delight at seeing the prison library, and congratulated the prisoners that they were so much better off in this respect than the inmates of the State prison at Alton, in his State, who had no books at all. "The next day"—I quote from Mr. Francis Gray's work on Prison Discipline in America—"as the chaplain was walking through one of the work shops, a prisoner having asked leave to quit his work and speak to him, told him that he had some books which he could spare, and should like to send to the prisoners at Alton, if permitted, and so had some of his shopmates. The chaplain, having conferred with the warden, stated in the chapel, after evening prayers, that such an application had been made to him, and added that if any prisoner had books which he wished to send to Alton prison, he might leave them in the adjoining room, on coming to prayers the next morning. He also sent word to his friend the clergyman, that if he would call at the prison the next day, he would find some books for Alton. The reverend gentleman went accordingly, and took with him a large silk handkerchief to carry off the books. What was his astonishment to find, in the room adjoining the chapel, more than four hundred bound volumes, besides tracts and pamphlets. The silk handkerchief would not do; and the prisoners requested permission to make boxes to pack the books in."

The testimony of prison officers, in those early days of effort to furnish mental food for convicts, was uniform as to the good effects of this agency. They say that the books were sought and read with eagerness by large numbers of prisoners, whose "profiting" therefrom "appeared unto all men." As the taste for reading increased, the necessity for punishment diminished. In proportion as they became interested in gaining knowledge, they became also more contented, cheerful and industrious.

All the State prisons, answering the interrogatories given in the paper on education in prisons, except Mississippi and Tennessee, have libraries for the convicts. The aggregate number of volumes is 15,250, and the average number, 1,089. The eight houses of correction and penitentiaries reporting, all have libraries, containing a total of 4,200 books, which is an average of 525. I cite Mr. Brockway's answer to the seventh question in full, as it contains one statement of much interest. He says: "We have not a large library, but the selection of books is carefully made with a view to the



tage of the prisoners. *We constantly procure any good book ny well-behaved man wants.*"

e eighth of the interrogatories sent out to prison officers, it will nembered, was: "What proportion of your prisoners are able ıd with such facility as to derive entertainment and instruction the exercise, and do such as are thus able generally avail them- ɜ of the privilege, and show an interest in and improvement it?" The citation of a few of the answers to this question will d at once the most correct and vivid idea of the facts in the case. Phelps, chaplain of the Connecticut prison, says: "I should ;e that 75 per cent of the men were fond of reading, and 25 per read a great deal, choosing for the most part books of the first acter. A great many convicts who, by their own account, ɔm read outside, acquire a great fondness for it here, and occupy their spare time for that purpose." Gen. Dornblaser, of the ıois prison, replies: "Fully nine-tenths of our prisoners are able ead sufficiently well to be entertained and profited by the exer- . These universally avail themselves of the privilege to the ɜnt of our ability for their accommodation. Our prisoners ibit a marked taste for reading, and derive great advantage from Mr. Haynes, of the Massachusetts prison, gives this answer: ight-eight per cent. They, as a general thing, avail themselves he privilege, and are greatly improved thereby." There are con- ts in this prison, who have read the whole of Humboldt's Cosmos. pt. Robbins, of the South Boston House of Correction, remarks: ıbout three-fourths, on an average, consider it a privilege to read ɜ books in the library, and as this privilege is made dependent on od behavior, it has a beneficial influence on the discipline of the ison." Mr. Viall, of the Rhode Island prison, says: "Nine-tenths e able to read and write very well; and have always cheerfully ailed themselves of whatever privileges have been extended to em, and have profited materially from the use of the library." r. Cordier, of the Wisconsin prison, answers as follows: "All ır convicts, numbering now 195, are able to read with facility, ɔcept 29, seven of whom are either aged or weak-minded per- ɔns, and the rest of them have lately been committed. All those ho can read understandingly avail themselves of the privilege. he improvement from it is astonishing. Young men who have een taught their first lesson here, two years ago, are now good eaders, and it seems as if they had changed entirely in body ınd mind. They keep themselves now neat and clean, while they ormerly were very filthy in their habits. They have better manners, ınd look more intelligent and like human beings. A neglected

education makes many convicts, and education alone makes the man."

It thus appears that the proportion of prisoners who take out books is large. It is an interesting question whether the books so taken are really read. This is undoubtedly so in the great majority of cases. The appearance of the books when returned, actual observation of prisoners in their cells, their comments on the books and their replies to questions on the subject-matter to which they relate, all attest this fact.

The character of the books preferred by convicts is a question of no less interest. The preference, it must be confessed, is too often for sensational novels, magazines and light literature generally. But this taste, though common, is by no means universal. Histories, travels, biographies, books of a religious type, even treatises on science find many readers. It is past all dispute, that numbers of our imprisoned criminals are growing in knowledge; and it is probably not an exaggerated statement, that in a prison population of a given extent, there is more reading of a solid character than in many an equal population in free society.

Convicts have considerable time to devote to reading, if so disposed. Everywhere they have the whole of Sunday, after deducting the portion spent in public worship and Sabbath school. Besides this, they have for reading, in most prisons, during the day and evening, from two to four hours in their cells. In some prisons, convicts are allowed to take their library books to the workshops, and read them after they have finished the tasks of the day.

In some States, a fixed annual sum is appropriated for the increase of the prison libraries; in others, additions are made by special grants. New York appropriates for her three prisons $950; Pennsylvania, for her two, $450; Michigan, $300; Massachusetts, $200; Connecticut, $200.

I have made it a point of special inquiry to ascertain the opinions of prison officers as to the utility of libraries. With singular unanimity, they represent such libraries as valuable in communicating useful knowledge to the prisoners; in elevating their minds; in beguiling many an otherwise tedious hour; in making them cheerful and contented; in affording material for profitable reflection; in affording good topics for conversation with them; in improving the discipline; and in constituting one of the most effective of reformatory agencies. I quite agree, too, with Mr. Frederick Hill, in thinking it important that a prison library should contain many books which, while free from any thing immoral or irreligious, are yet of an entertaining character. Such books, he well remarks, tend to create a



'or reading, to inspire a liking for other than sensual pleasures,
› give the mind exhilarating subjects of thought, in addition to
of a more serious cast afforded by works of a solid and instruc-
ype. A due mixture of books of this cheerful type, so far from
ering with reading of a more substantial and even religious
cter, adds fresh zest to such reading. Mr. Hill tells of a pris-
who may be said to have been saved by reading "Robinson
›e." A prisoner, much given to drink and never a reader before
ıcarceration, was induced to read the immortal story of De Foe
ison. It was the first book of entertainment he had ever read,
it awakened in him a thirst for reading, to which before he had
a total stranger. The taste thus excited, by affording him pleas-
›ccupation at home, naturally tended to wean him from his habit
rink. The prisoner was found, on examination, to have fully
·eciated the great moral lesson of the book, viz., that under what-
· circumstances a person may be placed, he can, by effort and
everance, improve his condition. It was quite manifest, too, that
reading of this book did not at all interfere with his reading of
Bible; and his chaplain declared himself entirely satisfied with
answers on the part of the Bible read by him during the week
vhich he was reading "Robinson Crusoe."

XVIII. RELIGION IN PRISONS.

By the Corresponding Secretary.

"Religion in prisons!" I seem to hear the reader exclaim; "is there any such thing?" I answer, not only without hesitation, but with emphasis: "Yes, there is." Long and wide observation of prison life has convinced me that all is not bad inside of prison walls any more than all is good outside. No doubt the proportion of pious convicts to the whole number incarcerated is comparatively small; yet the aggregate is considerable. It would be greater if the means to that end were more ample, and were applied with a larger faith. The majority of convicts, though hardened, are not seared; and they are particularly susceptible to genuine kindness, as this is a quality they have seldom met in their contact with the world.

Prior to the time of John Howard, the physical condition of the inmates of English prisons was loathsome to the last degree; and their moral degradation, their irreligion, the coarseness and brutality of their minds kept even pace with the disease and misery of their bodies. Chapels and chaplains at that time formed no part of the penal institutions of the country. In a sermon preached before Edward VI., Latimer lifted up his voice against the heathenism of the London prisons. "O," said he, "I would ye would resort unto prisons, a commendable thing in a Chriatian realm. I would there were curates of prisons, that we might say, 'The curate of Newgate,' 'The curate of the Fleet.'" In the reign of Elizabeth, Bernard Gilpin regularly visited all the prisons within the range of his missionary circuit, and preached to their inmates. The ministers ejected from their pulpits and imprisoned for nonconformity, preached abundantly, and not without success, to the prisoners in the jails. When the "Godly Club" was formed in London, more than a century ago, its members first offered their ministrations to the prisoners in the Castle. The good work, once begun, was not lightly abandoned. For many years Whitfield, the Wesleys and the more zealous of their followers prayed, preached and distributed alms in all the jails, bridewells and bedlams within their circuits; and it was only on compulsion that they at length gave up this part of their mission. In the storm and tempest of their unpopularity, the doors even of prisons and madhouses were shut against them. It was then that John Wesley said: "We are forbidden to go to Newgate, for fear of making them wicked; and to Bedlam, for fear of making them mad."

eforth he and his brother Charles discontinued their prison visi-
ıs.

t not all the band were so deterred from these labors of love
nercy. Sarah Peters, a woman noted for the fervency of her
ırs and charity, despite the jail fever then raging in the prisons,
her life in her hand and ministered, day by day, in the name of
to all the poor wretches under sentence of death, till at length,
work being done, she sickened and died. But her mantle fell
warm-hearted man, named Silas Told, who for twenty-five years
ted his energies to the spiritual welfare of condemned malefac-
ın every part of England.

the year 1773 — the same in which Howard became high sheriff
Bedfordshire and entered upon his great work of reforming
ons — an act was passed by Parliament, authorizing the justices
ppoint chaplains to their jails. This was the first official recog-
ın of the fact, as far as I know and believe, that prisoners are
ıin the pale of salvation. Happily, for the honor of humanity
the progress of civilization, it was not the last. The English
ons of all grades are now well supplied with chaplains — most
hem men of piety, character and worth, and some of them dis-
guished for great and shining abilities.

n our own country, as late as 1826, there was not a resident chap-
ı in any of our State prisons; and, of course, not in any of an
erior grade. The whole sum at that time expended for religious
truction in all the State prisons of New England scarcely exceeded
)0. In most of the prisons only an occasional service was held on
Lord's day, and in none did the chaplain live at the prison, or
rform any official work during the week. In New York, the Rev.
. Stanford — whom some of our citizens will remember as then
nost an octogenarian — served as chaplain of the State prison in
e metropolitan city, and also of the penitentiary, the bridewell, the
btors' jail, the city hospital and the almshouse — three penal and
o eleemosynary institutions, containing together 2,000 to 3,000 in-
ates. In New Jersey, Pennsylvania, Maryland and Virginia, no
ovision whatever was made for the moral and religious instruction
the inmates of the prisons; and there was literally a famine of
ıe Word of God.

This state of things was exposed and suitably commented on in
ıe report of the Boston Prison Discipline Society for that year.
he effect of its strictures instantly appeared. Resident chaplains
ere placed the next year in Auburn and Sing Sing, whose labors
roved in a high degree both acceptable and useful. The same
ear a Sunday school was organized in the Auburn prison — the first,

bably, ever formed in any penal institution; certainly the first in nerica. The privilege of attending it was embraced with avidity l thankfulness. Both at Sing Sing and Auburn, the chaplains read Scriptures and offered prayer every evening in the corridors of prison, as well as conducted public worship in the chapel on the rd's day.

Still more decided progress was made in the year 1828. In the line State prison a chapel was built and a weekly service instituted. rmont doubled her appropriation for supplying her convicts with means of grace. Massachusetts employed a chaplain to devote whole time to the religious welfare of the inmates of her State son. Connecticut wheeled into line. In New Jersey a chapel s fitted up in the prison, and the members of the Theological minary at Princeton preached to the prisoners every Sabbath, dis- buting religious tracts at the same time. In the Maryland peni- tiary the Methedist brethren regularly conducted religious services h Lord's day, once in winter and twice in summer. In Ohio the esbyterian Synod appointed and sustained a minister to preach tedly in the prison at Columbus.

The good work continued to move forward, until in 1836 — ten ars from the first waking up of an interest in this subject — resident aplaincies had been established in a goodly number of State prisons, osperous Sunday schools had been formed in not less than a dozen these institutions, and a copy of the Bible had been placed in nost every prison-cell in the land.

Many and precious were the fruits of these agencies. The Script- s were constantly read by multitudes of convicts, and in cases not ew their pungent truths penetrated the conscience as a nail in a e place. The prisoners generally conceived a strong affection for ir chaplain, as their best friend and counselor. Numbers were rally reformed through their labors; and some, there is reason to lieve, were spiritually and savingly converted.

I will not further pursue the religious history of our prisons; but I pose to offer a few remarks with a view of showing the present te of religious instruction therein, and the encouragements held t to Christian labors in the same.

The larger part of our American State prisons are now provided th resident chaplains, who give their whole time to this work. osperous Sabbath schools and prayer meetings have been estab- hed in many State prisons; and church organizations have been med in two — those of Kansas and Illinois.

Although there is no church organization at Sing Sing, yet the aplain has baptized many on confession of their faith. I was once

t when this ordinance was administered to seven convicts.
aplain requested me to converse personally with each of them.
ase interested me exceedingly. It was that of a young Jew,
story, as then and there related, was substantially this:
first committed, he was placed in a solitary cell, till such time
should be assigned to labor. The only thing in it, besides a
d stool, was a copy of the Bible. He took it in his hand, and
ned of itself at the Sermon on the Mount. He had never seen
Testament before, and had been taught that it was filled with
ost horrible blasphemies. He read a few verses; and then from
prejudice flung it at the wall, and let it lie for several hours in
ot where it fell. Then something impelled him to take it up
He did so, and read on; and, as he read, he became so fasci-
by it, that he read through the four Gospels. Then he turned
and read the Old Testament, already familiar to him, but now
g him new ideas. He read on, telling nobody what was going
his mind — and, of course, without influence from any person —
he became convinced that Jesus of Nazareth was the Messiah
ld by the prophets of his nation. Then he went to the chap-
nd asked to be further instructed; and at last he was baptized
ecame a true Christian.

ending part of a day lately at Charlestown prison, Massachusetts,
rned from the chaplain, the Rev. Mr. Carleton, the most singular
ny I ever heard of. Three of the convicts had stolen a prayer-
ing! The way it was done was this: Three men who worked
he same shop and had received serious impressions from the
day exercises, conferred with each other and agreed that it would
hem good to meet and pray together. This was against the rules.
hey found an old shed near their workshop, where lumber and
ish were stowed; and every day they would steal out there for
or fifteen minutes, hold their prayer-meeting, and go back to
k again. For some time they escaped detection; but at last the
per found them out. He did not, however, like to take the
onsibility of stopping them. So he reported the matter to
deputy warden, who felt the same hesitation and reported the
e to the contractor, for whom the men, now increased to four,
re at work. He, too — probably thinking that, as the proverb
s, "meat and mass never hindered work" — winked at the pious
ud; and for some months they continued to keep their stolen
yer meeting in the prison shed.

In the State prison of Massachusetts, a daily religious service is
ld in the chapel immediately after breakfast, consisting of reading
e Scriptures, singing, prayer, and brief comments or exhortations,

at the option of the chaplain. Similar services are held in the Connecticut State prison both morning and evening. In both, the effect of this daily service of prayer and worship on the convicts is found to be tranquilizing and quieting in a high degree; the beneficial influence being felt throughout the entire day. I am sorry to be obliged to say that these are the only prisons, as far as I know, in the United States, in which there are regular week-day services of a religious character.

In all or nearly all the State prisons in the United States, one public service is held on the Lord's day, at which a sermon is preached. In some, a second service is conducted for the benefit of the female prisoners, and a third for that of the sick in the hospital. On all occasions of this kind, the singing of hymns forms a part of the worship, and in this the convicts very generally unite. It happens, also, oftener than otherwise, that there is a regular prison choir composed of convicts, varying in number from a half dozen to sixteen, and a melodeon as well, which is quite commonly played by a prisoner. There is a uniform testimony on the part of the prison chaplains to the softening, soothing, humanizing influence of sacred song on these fallen men and women. There can be no doubt that singing is a part of religious worship, which is eminently adapted to calm the passions and to awaken devout feelings. It has been noticed that prisoners have often been deeply affected by it, owing doubtless to the fact that it has revived thoughts and emotions that had long been dormant. The Rev. Mr. England, formerly chaplain of the juvenile prison at Parkhurst, in the Isle of Wight, once remarked to Mr. Frederick Hill that the first symptom of a boy's improvement was his beginning to join in the singing, which at that prison is said to be remarkably good.

In prisons which enjoy the services of resident chaplains, a good deal of pastoral labor is done by the incumbents; but this department of work does not appear to be as thoroughly organized or as systematically performed in any of the State prisons of the United States, as it is in the provincial penitentiary of Canada. Many of the chaplains spend two and three hours each Lord's day in the same work. Some are in the habit of spending more or less time every day in this personal visitation. One says: "I visit prisoners in their cells a good deal on the Sabbath to converse with them on religious subjects — on an average, I should think, about fifteen. I also see and converse with a number every day in my office, either on my sending for them or on their coming to me of their own accord. On these occasions it is quite usual to offer prayer with them. These labors are well received by the convicts, who appear to be

ıl for the sympathy and interest thus shown to them."
er says: "On an average, I spend at least an hour and a
very Sabbath in visiting prisoners in their cells, seeing usually
r upward. I visit the hospital daily, conversing with the
ts and occasionally offering prayer. The most effective pas-
service, I think, is performed in my casual meetings with the
ts in my office, when they call on me in connection with their
pondence, and in other parts of the prison premises." A third
es: "I visit the sick in the male hospital every day, and in
male hospital about once a week; but oftener, if necessary. I
rse with convicts on writing and library days, and I send for
to my office, from time to time, as there may be occasion.
labors are received with interest by the prisoners." What is
by the chaplains from whom these citations are made is done,
antially, by all others. I feel a special gratification in being
to report a unanimous testimony to the kindly, serious and
ful spirit in which the convicts meet their chaplains in the dis-
ge of these pastoral offices. As affording a specimen of this
, I cite the following statement of Mr. Cordier, commissioner
ıe Wisconsin State prison: "The chaplain visits and converses
the prisoners privately nearly every evening. *These visits are*
rly looked for."

the year 1839, the Boston Prison Discipline Society addressed
ıe wardens of the different State prisons a series of interrogato-
including, among others, the following: "What do you think
prison without a chapel, or place of worship, where the convicts
be assembled on the Sabbath for public worship and Sabbath-
ol instruction, and on week days for morning and evening
yers?" To this Mr. Moses C. Pilsbury, one of the most eminent
on keepers of that day, gave the following pointed reply: "It is
ossible for me, in the limits of this, to give my views in detail on
mportant a question; but, in my estimation, not much unlike (in
ard to wisdom) to a man who would build and adorn a beautiful
p, lade her with the richest cargo of goods, and send her to sea
hout rudder, compass or chart. I think there would not be much
ventive, in a prison without a chapel, against insanity, but it would
written upon the very walls." This puts the supreme importance
religion in prisons in a light as clear as it is striking, and it is for
s reason that I have cited it.

It appears, from the foregoing detail, that a good deal of promi-
nce is given by some at least of our American prison chaplains to
e work of personal visitation and conference. I cannot too warmly
mmend this practice, nor too strongly press it upon these excellent

gentlemen. I approve and urge the universal introduction into prisons of a daily service of prayer, like that in use in the Massachusetts and Connecticut prisons; but I would give the pre-eminence to personal interviews, as likely to have the greater permanent influence. The benefit to convicts is obvious and incalculable of frequent conversations with an earnest, kind, godly, sympathizing and judicious chaplain, when the prisoner can express his feelings and the pastor can give his counsels and admonitions, with no one by to check the free outpourings of the heart on either side. One special reason for such visits and conversations is, that the chaplain is thereby enabled the better to direct his inquiries and instructions to each prisoner's particular case; and one highly important use to be made of them is, as Mr. Hill has suggested, to inquire into the convict's prospects on liberation, and so by correspondence with his friends or former employers, to obtain for him, when there is evidence of contrition and amendment, another trial. The friendly offices of the chaplain may often, in this way, be of essential service in effecting the prisoner's restoration to society.

I have scarcely passed the threshhold of my subject, and yet I have reached the limit which I had assigned to myself for this paper. One object, however, which I have had in view in writing it would be lost, if I did not add a sentence or two more. I have desired to interest Christian people in prisoners to such a degree that they will pray, and, as they have opportunity, labor for their spiritual welfare. Most prisons are freely open to the efforts of judicious men and women, who are willing to work in such a field. Let it be remembered that John Howard and Mrs. Fry, that Louis Dwight and Miss Dix, were volunteer workers. The feeling is quite common with prisoners that persons who of their own accord visit them and labor for their improvement, must have their interest at heart, and cannot be working merely for pay. This feeling adds to the power of such instruction, a fact which should certainly serve as a stimulus to effort in this direction. The ties which convicts in this way form with the pure and good, feeble as they may appear, are often of inestimable value to them after their liberation. This is shown by the large number of offenders who have become respectable and useful members of society through such volunteer workers in our own and other countries. Let Christians whose home is near a prison ponder this matter, and judge what their duty is.



XIX. SABBATH SCHOOLS IN PRISONS.

By the Corresponding Secretary.

burn is illustrious for having originated a system of prison dis-
e, which has been more widely adopted, in this and other coun-
than any other which has ever been devised. To Auburn also
gs the honor of having established the first resident prison chap-
y and the first prison Sabbath school in America. Both were
uted in 1827. The Rev. Jared Curtis was an earnest and
:ed man. Scarcely had he been fairly installed as resident chap-
when his zeal prompted him to seek an ally in the institution
Sabbath school, in the conduct of which he had the great advan-
of competent assistants in a corps of teachers from among the
ents of the Theological Seminary. The school was established
the twofold object of imparting secular and religious instruc-
; and in both relations it was efficient and successful. Let me
an instance of its usefulness in the higher of these ends. There
a young Indian convict in the prison. He was naturally intelli-
, but grossly ignorant. After having attended the school some
ks, he said to his keeper that he had been a bad boy; that form-
he would lie and steal; but that he had now learned how wicked
1 things were, and he wanted to go to the warden, confess his
lts, and promise that he would never disobey God any more.

The seed thus planted in Auburn germinated and bore fruit very
ckly. In 1833, just six years after the organization of the school
Auburn prison, Sabbath schools had been established in ten State
sons which are represented in the reports of the day as flourishing
l useful in a high degree. So successful had this agency proved,
d so much was it prized by inspectors, officers and convicts, that a
bbath school had come to be looked upon as an essential element
a good system of prison discipline. The number of teachers at
at time employed in these schools was above one hundred, and the
mber of prisoners receiving instruction, fifteen hundred. In all of
ese schools illiterate convicts were taught to read, and large num-
rs thus acquired a competent knowledge of this important art. In
e Auburn prison alone, four hundred had learned to read, and many
them to write and cipher also. The chaplain of the penitentiary
1 the District of Columbia bears this testimony, in which he is
orroborated by those holding the same office in other prisons, to the
reat value of this instrumentality at that early day: "From all

my observation, since I have had the honor to serve in this institution, I am convinced that Sabbath school instruction in our penitentiaries may be rendered one of the most efficient aids in the work of reformation." The privilege of attending these schools was eagerly embraced by nearly all convicts to whom it was extended. To show how much it was prized, let me cite a single case, that of a prisoner who, being about to be disciplined for some infraction of prison rules, entreated that any punishment, however severe, might be inflicted on him rather than that of removal from the Sunday school.

So much for the early history of this institution in prisons. As far as my information extends, Sabbath schools are at present held in fifteen State prisons and one house of correction; there may be others, of which I have no knowledge. The State prisons referred to are those of Connecticut, Illinois, Indiana (North and South), Maryland, Massachusetts, Michigan, New Hampshire, New York (three), Ohio, Rhode Island, Tennessee and Virginia; and the solitary house of correction is that at Springfield, Massachusetts. As respects the privilege of attendance, the usage varies. In some prisons all who wish are permitted to attend; in others, a selection is made of those who most need, and are most likely to be profited by, such instruction. Wherever there is a resident chaplain, he commonly acts as superintendent; in the female prison at Sing Sing, the matron. In many of these prison Sunday schools, the officers, and not unfrequently the wardens, aid in the instruction; but the work is mostly done by volunteer laborers from outside. The number of convicts gathered into these schools I cannot state with precision; but it is certainly not less than 2,000, and probably does not exceed 3,000. I cannot undertake to give an account of all these schools *seriatim;* but will mention some facts connected with a few of them, with a view of showing how useful they are, and, at the same time, of stirring up the authorities of other prisons to organize a similar agency.

There are twenty classes in the State prison Sabbath school of Rhode Island — seventeen male and three female. These classes are under the instruction of teachers from the various churches of Providence, some of whom have been engaged in the work for more than ten years. Not only do these faithful workers in a field which would commonly be regarded as arid and sterile, impart general lessons to the members of their classes, but many times they seek to win the prisoners to Christ by the more familiar and kindly method of personal conversation. Nor do they limit their efforts to these spiritual objects, but follow the convict after he is released, find employment for him, and, where this cannot be done at once, they sometimes take him to their own home, and keep him there, till a suitable place can



cured for him. Many are thus saved from relapsing into crime ould otherwise be inevitably driven to it again by the pressure it. It is an interesting fact that the late Dr. Wayland, long nored president of Brown University, took a deep interest in chool, often visited it, and addressed its members with great ness and power.

Sunday school in Clinton prison, N. Y., under the superin- ice of Chaplain Canfield, is a good specimen of what may be accomplished through this instrumentality for fallen and crim- nen. The interest in the school shown by the convicts is most ying. The mode of conducting the exercises is this: Two gen- questions are given out every Sabbath for investigation by the bers through the ensuing week—such as, "What is the Bible ing concerning theft, profanity, Sabbath observance, repentance, prayer, etc., etc.?" A spirit of inquiry and research on the important subjects is thus awakened, and the study of the tures promoted to a remarkable degree. When the school con- s, the first thing after singing and prayer is an examination of risoners on the two general questions proposed on the previous ath. So lively is the interest taken in this exercise that, some- s, the whole hour is taken up with Scripture citations and the issions growing out of them. After the general exercise is d, the convicts recite in classes to their respective teachers, using his purpose Dr. Clark's "Questions on the Heroes of the Bible." strongest conviction is entertained by the chaplain and others he beneficial effects of the school on those who attend it. A ving interest in the Bible and a growing knowledge of its truths most evidently the result. In proof of this, it may be stated that chaplain often receives calls from convicts during the week for ial religious conversation, the desire for which has been awakened attendance on the Sunday school. The interest in religious in- ries of more than one prisoner has thus been excited to such a ree that they have read through the whole of Dwight's Theology, achievement not often perhaps accomplished by laymen outside prison walls. The influence of the school on the discipline of the son, as well as on the moral improvement of the men, is most utary.

The Sabbath school in the Connecticut State prison is composed all the prisoners who wish to avail themselves of it. It was more merously attended the last year than ever before. Both the war- n and his deputy are teachers in it, and render excellent service in is department. The results of the school, in connection with other ligious services, have been most cheering. The chaplain assures

s that scarcely a Sabbath passed during the year in which one or nore of the convicts did not express their interest in the subject of eligion, and seek personal instruction from him. Many profess to ave experienced a saving change through faith in our Lord and aviour Jesus Christ. While admitting the danger of instability in rofessions made under circumstances of such seclusion, the chaplain ays that he shall be disappointed if he does not hear a favorable ccount of a goodly number after they shall have gone forth into the emptations of society.

A flourishing and highly successful Sabbath school exists in the tate prison of New Hampshire. It assembles in the chapel at 4 . M., and all who choose attend. Devoted teachers, ladies and gen- lemen from outside, engage in this service with zeal and punctuality, ome of whom are absent scarcely a single Sabbath in the year. The whole number of prisoners here averages but little more than a undred, yet the average attendance on the Sabbath school, which is ntirely voluntary, is eighty-three. The chapel is not large enough o accommodate all in classes, or, it is thought, every man might be rought in. The interest shown in this exercise by the convicts, and heir "profiting" through it, form a subject of remark with all who isit the school and witness its working.

An excellent and fruitful school is maintained in the State peni- entiary of Ohio. The chaplain thinks it would be difficult to esti- nate its advantages. Its influence for good upon the present onduct, the prison-life of the convicts is very decided; and all its endencies are to the developement of a better life in the future. It s matter of regret to the chaplain, and surely not otherwise than of liscredit to the Christian people of Columbus, that the privileges f the school cannot be extended to all who would glady accept hem, for want of a sufficient corps of teachers. It might be whisp- red into the ear of ease-loving Christians in that city, that some hirty ladies and gentlemen of Portland, Maine, go out five miles very Sabbath of the year, even through the storms and snows of inter, to a similar service in the reform school at Cape Elizabeth. Many of the attendants do solemnly profess actual change of heart hrough faith in the Lord Jesus Christ, and avow their purpose, hrough Divine grace, whether in or out of prison, to "lead a new ife." Mr. Byers expresses full confidence in the sincerity of not a ew of these professions. And why should he not? A thief and nurderer was converted on the cross; may not other thieves and nurderers be converted in prison?

All the convicts (over 500) in the State penitentiary, at Richmond, Va., attend the Sabbath school held there. The session com-



ences at 3 o'clock P. M., and continues for two hours. Many are earning to read, and the others are diligently engaged in the study of Bible lessons. The classes are taught by volunteer workers, chiefly from the Society of Friends. The superintendent in a letter to the writer, says: "Old Father Willet takes charge. Good old gentleman! The prisoners worship him, and I love him." The fruit of this school, in connexion with other agencies, has been nearly one hundred hopeful conversions.

I might extend these notices, but the facts would be similar. Let the foregoing detail suffice as an imperfect illustration of what has been, and may be, accomplished for prisons and prisoners, through an agency so effective in other forms — the Sunday school. Let it stimulate the authorities of other prisons to "do likewise," and be an incitement to all Christian people to pray for God's blessing on these and other agencies instituted for the moral and spiritual regeneration of those who have broken righteous laws and are suffering the award of justice.

XX. PRAYER MEETINGS IN PRISONS.

By the Corresponding Secretary.

It may surprise some persons to be informed that prayer meetings — warm, earnest, flourishing, fruitful prayer meetings — exist in several of the State prisons of our country. Yet, strange as it may appear, such is the fact. Meetings for prayer and conference are statedly maintained in the State prisons (male and female) at Sing Sing, N. Y.; at Richmond, Va.; at Joliet, Ill.; at Leavenworth, Kansas, and in the house of correction at Detroit, Mich. A few years ago, a prayer meeting was held every Sabbath morning in the State prison at Charlestown, Mass.; but it was given up because of the inconvenience thereby caused to the officers, in requiring them to come to the prison for the purpose of letting the prisoners out of their cells.

I propose to give a brief account of these meetings, and show some of the results accomplished by them.

The first convict prayer meeting of which I have any knowledge was established in the male prison at Sing Sing, by the Rev. John Luckey, chaplain, in 1862, during the incumbency of Gaylord B. Hubbell as warden, a noble Christian gentleman, and certainly one of the best presiding officers that Sing Sing has ever known. This meeting began with an attendance of some half dozen prisoners, and has been continued weekly to the present time. It has steadily increased till it numbers one hundred and fifty members, and a hundred are frequently in attendance. The chaplain presides, but the prayers and exhortations are made by the convicts, unless some brother or sister from outside happens to be present, and has a word of counsel or encouragement to offer. The writer has often been present at these convict gatherings for prayer, and has witnessed, with satisfaction and gratitude, the silent, orderly, devout and even fervent manner in which they were conducted. I do not doubt that much good has been done through this agency. A healthful moral influence has been exerted upon the hundreds of criminals who have been members during the seven years of their history; and some, at least, have been spiritually and savingly converted. Quite a number, who had been members of the prison prayer meeting, have, on their discharge, become members of Christian churches, and have honored their profession. Some have become class leaders, and one



least superintendent of a mission Sabbath school. I have seen ɔres of letters, written by members of the meeting after their re-ase, addressed either to the chaplain or fellow-members left behind; ıd the spirit of penitence, humility, faith, prayer, resolution and pparent sincerity breathing in them was very cheering, and gave romise — evidence, perhaps, I should rather say — of permanent ruit.

The prayer meeting in the female prison at Sing Sing was organ-zed the same year — 1862 — under the auspices of Mrs. Mary Hubbard, at that time matron of the institution, and a Christian lady of rare excellence. Mrs. Hubbard was aided in her good work by Mrs. Luckey, wife of the chaplain. In a letter to the writer, Mrs. Hubbard says:

"Our meetings were opened by reading the Scriptures and prayer by myself or Mrs. Luckey, whenever she was present. The convicts who felt inclined followed either with prayer or remarks. We usually sang several hymns during the exercises. All came who desired, and the number varied from fifteen to forty. The interest manifested was very encouraging. Very often the whole company would be in tears, while confessions were made to God and to each other. They were always orderly and quiet during the exercises. I think the *prayer meeting* had more power in subduing those restless spirits than the *shower bath* and all other modes of punishment: Its influence was very apparent, and was freely acknowledged by the assistant matrons. A number of those who professed to have experienced a change of heart maintained a consistent life during the remainder of their term and after leaving prison. I have now in my mind the case of an English woman, who had once been in affluent circumstances, but through the influence of intemperance had gone down, step by step, till the criminal's cell was her home. The change in her was marked, and after leaving prison she united with a Christian church and honored her profession."

I have myself attended that meeting, and felt equal wonder and delight while listening to the simple, earnest, touching (and of some, I may say *eloquent*) prayers and exhortations of those convict women. One case interested me specially. It was that of quite a young girl, who had known better days in the home circle under her father's roof, but had fallen through the influence of evil associations. She had taken part in the service by offering a modest, child-like prayer, which greatly affected her companions. She remained after the others had gone, to say a word to me, apparently for the purpose of getting some light from a person whom she thought capable of giving it. To a remark of mine on the supreme importance of

service of the Lord's day, preceded by a special service of praise to God, the devotion of the whole of the sacred day not occupied in public worship to personal conversation with the prisoners in their cells, and the weekly distribution of religious books to all who desire them, a prayer and conference meeting was established in 1868, which is attended by all the prisoners who are so disposed.

The chaplain presides, but the service is mainly conducted by the prisoners. It is highly prized by them, and is found very beneficial in many ways. The ordinary attendance upon this service is from sixty to seventy. As the result, a large number have hopefully passed from death unto life. The chaplain says: "Every Sabbath in the year has been made joyous by the reclamation of several of these wanderers. Most of these manifest as profound conviction of sin and give as clear evidence of conversion, in the transfer of love from things earthly to things heavenly, in their trustful repose in the Saviour of sinners, in their lamentations over the evil of their past lives, and in their yearning for the reformation of others, as are usually found outside of prison walls. The sifting time of temptation will, of course, reveal the presence of chaff with the wheat. Thus it is everywhere."

Another pleasing result of this meeting and other "means of grace" is thus stated: "The preference for religious books has gradually increased during the year, until now they are in more constant circulation, more eagerly sought, and more highly prized than any other class of books." Truly does Mr. Foote remark, in view of such facts, "*There is no impassable gulf between the chief of sinners and the Friend of sinners.*"

The "convicts' prayer meeting" in the State prison of Massachusetts was established and continued for six months in the year 1866, and was then given up for the reason already stated. It was held at 9 oclock on Sabbath morning. The chaplain led the meeting. He commenced it by reading a short portion of Scripture, and offering a brief prayer. He then threw the meeting open, and for a full hour the prisoners would sing, pray and exhort. Sometimes two or three would rise at once, and there was never a single moment unoccupied. Ministers and others, who were occasionally present from outside, expressed not only pleasure, but astonishment, at the fitness and fervor of the exercises. The remark was not uncommon that they never, anywhere, had heard exhortations more appropriate, remarks more intelligent, prayers more fluent and fervent, or praise more animated and devout. In a letter to the writer, under date of February 18, the chaplain, Rev. Mr. Carleton, says:

"I think that the influence of the meetings was soothing and salutary, and in some cases spiritually beneficial. The number in attendance was from forty to fifty, and we should have had many more if a *general* invitation had been given. We have had occasional meetings since, — on holidays. I think we ought to have them once a week; and from conversation recently with one of the trustees, I hope that something may be done in this direction."

From the foregoing detail, I think we are warranted in the judgment that the experiment of prison prayer meetings has been a success. May the good Lord increase both their number and their fruitfulness.

XXI. PRISON ARCHITECTURE.

By a Committee.

For a number of years, the Prison Association has been in receipt of applications from various quarters for suggestions and counsel in relation to prison structures. Within the last two years, these applications have become more frequent and numerous, particularly from the Southern States and from States recently admitted into the Union. Last spring, a gentleman residing in one of the largest of the Western States, who takes much interest in all questions relating to the improvement of prison discipline and the progress of social science generally, addressed a letter to the Corresponding Secretary, saying that jails were built every year in his own and the adjoining States, and that these new erections almost uniformly reproduced the errors and defects of the old. On this ground he urged that the Association should declare itself in reference to this important topic, and illustrate its views on prison architecture with diagrams, giving ground plan and elevation for model prisons of different classes. In conformity with the request, thus presented and enforced, the undersigned were appointed a committee to consider the question of prison architecture, and to prepare a paper on the subject for insertion in the present annual report.

In fulfilling the duty laid upon them, the undersigned have confined their inquiries to four classes of penal institutions — the common jail, the station-house or lock-up, the house of correction and the State prison. We have sought the best lights within our reach, and given the best reflection of which we were capable to the subject; and the result is set forth in the following paragraphs:

1. A Model Jail.

The architecture of the jails of New York is almost uniformly bad, and, with the exception of some good jails in the State of Pennsylvania, such as those at York and Norristown, they grow worse as one goes South and West. Enough money has been spent upon them to make them model structures; but it has been misapplied, wasted, and often even worse than wasted.

(1.) *The common jails of the United States — we speak of the generality of them — are unsafe.* They are

(*a*) Unsafe with respect to the detention of the prisoners;

(*b*) Unsafe with respect to the lives and limbs of the jailers;



Lith. of Weed, Parsons & Co. Albany N. Y.

VIEW OF MODEL JAIL.

GRIDLEY J. F. BRYANT, ARCHITECT.

[illegible], Mass.

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(*c*) Unsafe (in many cases) with respect to fire;

(*d*) Unsafe from the facility afforded to mobs to break into them;

(*e*) Unsafe because, from their construction, persons from without may, at pleasure, convey tools, weapons and liquor to the prisoners within.

The only jail, of many years standing, strong enough to resist the prisoners, was the old Leverett street jail in Boston, which was abandoned and taken down in 1850. All the rest have been repeatedly broken, and most of them can be broken any day by a smart burglar, who understands his trade. We know few jails out of New England which cannot be broken, if the jail itself were the only obstacle; chains and constant vigilance on the part of the jailer are absolutely necessary, if desperate villians are to be kept in confinement. The great cause of this insecurity is that the jails are so ill-constructed that the jailer cannot see what is going on in the prison without being seen himself. When mischief is brewing, he cannot get to the scene of it without giving notice of his approach to the mischief-makers long enough beforehand to enable them to remove all evidences of the mischief contemplated. In a word, the jails are so constructed that the jailer *cannot exercise due vigilance and supervision.*

There are few jails in which the jailers have not, from time to time, been knocked down, and sometimes nearly killed, by desperate prisoners. Red pepper has been thrown in their eyes; they have been knocked down from behind, choked, stabbed, and injured in various ways. This is in consequence of the numerous hiding places with which the jails abound. There have been few or no injuries where the jailer has been able to see what was before him. It is obvious that all wooden jails are liable to fire, especially from insane prisoners, or when insane persons are lodged in them for safe keeping. The mob at Newburgh, not many years ago, broke into the jail of that populous city, and hung one of the prisoners in the yard. Our ears yet tingle with the hanging of the express robbers at Seymour, Indiana. Such things could hardly happen in a jail properly built. When prisoners can have access to the windows at pleasure, more especially when the windows are out of the range of observation from the jailer's apartment, there is evidently nothing to prevent them from supplying themselves with every thing they desire from outside, without the privity of the jailer.

(2) *Our jails are unhealthy.* They are so because

(*a*) They are, most of them, wholly without artificial ventilation, and all of them are imperfectly ventilated.

(*b*) Many of them are so situated that they exclude the sunlight, which is a most important hygienic element.

(*c*) They are generally damp, from imperfect drainage.

(*d*) Very many of them are filthy, because it is so difficult to clean them.

(*e*) Most of them are ill supplied with water for washing and bathing.

(3) *Our jails are productive of immorality and crime, mainly by reason of their defective construction.*

(*a*) A large number of them interpose no obstacle to the male and female prisoners talking with and seeing each other, thus mutually inflaming the passions.

(*b*) Much of the prisoners' time is spent in gambling.

(*c*) The tyros in crime constantly associate with the adepts. Our reports are full of facts showing the injurious influence of such associations.

If it be asked why the jailers do not keep their prisoners confined separately in their cells, the answer is, that very few jails have a sufficient number of cells to keep them separate, and those where the number is sufficient are so unwholesome that the health of the prisoners would be destroyed, if they did not have access to the corridors in the day time. If it be asked why jailers permit gambling and drinking in the prisons, the answer is, that they cannot help it. The jailer cannot enter the jail without turning his key and making a noise, which gives the prisoners time enough to secrete all evidences of their guilt before he gets to them.

(4) *The jails are the cause of great injustice.*

(*a*) Witnesses, altogether guiltless of crime, are compelled to associate with the vilest off-scouring of creation. The law forbids this, but a large proportion of the jails are so constructed that *the law cannot be obeyed.*

(*b*) Persons simply accused of crime, many of whom afterwards prove to be innocent, are herded with convicted criminals.

(*c*) The insane, temporarily lodged there for security, are mingled with convicted felons.

(*d*) Debtors are also compelled to mix with criminals.

It is not wonderful that our existing prison architecture is a failure, when we consider that the whole charge of building jails falls, in most States of the Union, on the boards of county supervisors, county commissioners, or some similar body.

When a jail is to be built, the board appoints a committee of their own body with power to make the plans and erect the building. This committee usually consists of some merchant, lawyer or mechanic from the county town, and three or four farmers from the outlying country towns. Doubtless they are worthy and intelligent

.en. They may be excellent and substantial farmers, who would ə just the men to build model barns and stables and corn-cribs, ecause they know exactly what constitutes the excellencies and .efects of their own and their neighbors' farm buildings; and they vould be able to reproduce the one and avoid the other. But they iave not the slightest idea of what is an excellence or what a defect in a jail. They have never seen any jail but that in their own county, and so they visit those in one or two contiguous counties; but they do not know to what points to direct their attention, and therefore fail in gathering much wisdom from the inspection. They have a vague idea that a jail must be a very strong place, with plenty of stone or brick and iron about it; and if they put in these materials in sufficient quantity, they cannot understand why they should not have a perfect jail. Unfortunately, they have not the remotest idea that these materials may be as weak as paper and putty, if they are distributed improperly. We have in our minds a jail with ponderous walls and massive iron gratings, sufficient to withstand a besieging army; but the floor beneath the cell doors consists of flag-stones which can be tilted up with a case knife. This gives the prisoners access to the cellar, which has no other security than glass windows. Another ponderous structure has a privy which has a wall one brick thick, that communicates with an open lot. The prisoners who love liberty better than clean clothing can, at any time, by getting into the vault and digging out the mortar around one brick, readily release themselves. Nor are these the only jails of the kind described, which occur to our recollection. In a word, these committees of county supervisors or county commissioners have no idea of what a jail should be, or should not be; and it is therefore by no means surprising that they should utterly fail in accomplishing successfully the work with which they are charged. Sometimes professed architects are employed to make the plans. But this does not mend the matter much, because very few architects have ever had any experience in the erection of jails, and without knowing distinctly, beforehand, what he is to do and what he is to avoid, an architect cannot accomplish that which it is the main object of a jail to effect, although he may gratify the eye with the finest architectural effects.

In view of such considerations as these, the Executive Committee of the New York Prison Association have thought that they would render a good and acceptable service to the public, if they should make the effort to ascertain all the conditions of a good jail and embody them in the best architectural forms.

In order to obtain a model jail, it is necessary

1. To have an open lot, which cannot be overshadowed by contiguous buildings.

2. The site selected should not be stony; at least the stones accessible should not be large enough to be used as weapons of offence.

3. It should have good natural facilities for drainage.

4. It should be tolerably elevated, so that the fresh air will sweep through it unobstructed.

5. The jail itself should be so constructed that it can be readily supplied with an abundance of pure water.

6. It should not be too far removed from the court house, as this would increase the chances of escape in going to and coming from court at the time of trial.

7. It should not be too far removed from the compact part of the town or village where it is situated; so that help, in case of rebellion or fire, may be promptly obtained. For the same reason, it should not be in the quarters of the worst part of the population, as they would be likely to aid the prisoners from sympathy with them. The respectable portion of the population will not object to the proximity of the jail, if it has a handsome exterior; and this is a good reason for some architectural embellishment of jails.

8. It should, if possible, stand north and south, so that the sun light can enter the windows all day, on one side or the other. The part occupied by the jailer should face the north, and the end occupied by the prisoners should have the benefit of the southern exposure.

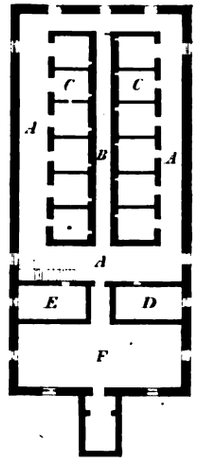
When the site is properly selected, the next thing is to determine that arrangement of the interior, which shall best subserve the purposes for which the building is to be erected.

The committee sought diligently to learn what those objects were; they inquired into the various plans and contrivances which had been employed for breaking jail, the history of the most successful assaults on jailers, and the causes of disease among prisoners, with a view to devising means to guard, as far as possible, against such evils. Having studied the subject as thoroughly as their opportunities would permit, they have, through one of their number, embodied their ideas in architectural expresssion. The committee have no hesitation in recommending the plan suggested to the authorities charged with the building of jails, as being, in their judgment, the best yet submitted to the inspection of the public for the accomplishment of the objects for which jails are provided.

The annexed diagrams are given in illustration.

The scale upon which these diagrams are constructed is 48 feet to the inch; and the size of each particular part can be easily ascertained by the application of a graduated rule.

DESIGN FOR MODEL STATION HOUSE.



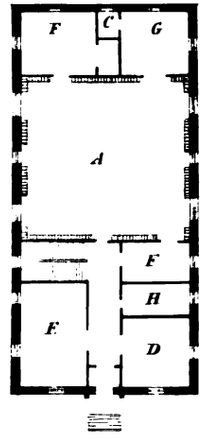
PLAN OF BASEMENT

A. Guard Room
B. Property Room.
C. Water Closets
D. Captains Office
E. General Office
F. Kitchen
G. Coat Room
H. Clerk

BASEMENT.

A. Corridors
B. Passage
C. Cells.
D. Water Closets.
E. Storage
F. Heating.

Scale 48 ft 1 inch



PLAN OF FIRST STORY.

GRIDLEY J. F. BRYANT,
Architect
Boston, Mass.





The jailer's apartments are placed in front, and may be two or three stories high, as the exigencies of the case shall require. The first story is 30 by 48 feet. The principal room H for the jailer's family is 18 by 21 feet. The smaller room H is 18 feet square. The jailer's office F is 12 by 18 feet. In this room the arms, keys, handcuffs, shackles and chains may be kept in a safe, and also the prison library, besides the jailer's desk, with the books and papers. These rooms, including those in the second story for bed rooms and those in the basement for a dining room F, a store room G, and a bathing room H, will be a sufficient provision for the comfort of the jailer and his family. The guard room A, in the first story, is 25 by 48 feet, octagonal in form, having two long sides and six shorter ones.

It will be observed that the guard room commands both sides of the jail, and would enable a small armed force to keep a large attacking force on the outside at bay; and at the same time it would command every cell door, window and area or corridor. A sink for washing may be placed beneath the stairs to the galleries on one side, and a dumb waiter communicating with the kitchen A in the basement on the other.

One turnkey or more, according to the number of prisoners, should be always on duty in the guard room in the day time; and when the number of prisoners is large, one should be on duty in the same position at night also. When the number of prisoners is small, he may sleep in the room G, which is 10 by 12 feet, where he can see all that goes on in the guard room and one corridor, at any moment, as he lies in bed, and hear the slightest sound in guard room or corridors.

The jail proper is 48 by 69 feet, including the privilege rooms D D, or 48 by 60 feet, excluding them. This gives twelve small and six large cells, the former being 5 by 9 feet, and the latter 9 by 10 feet. The smaller cells are intended for persons who are committed but for a few days, or for those who may be permitted to associate together in the day time without danger of mutual contamination, under the constant supervision of the officer on duty. The larger cells are intended for the solitary confinement of prisoners under sentence, and for such of the accused as would be likely to contaminate others.

The privilege cells, 9 by 18 feet, which are light, airy and comfortable, are intended for witnesses, debtors and such other prisoners as may have earned the privilege by good conduct.

The prisoners in solitary confinement will be supplied with water and conveniences for washing and drinking in their cells, while those having access to the area will wash in a sink, to be provided between the windows, in the end of the octagonal room.

Defecation will be effected in covered night buckets, supplied with dry clay, which effectually absorbs all odors that would otherwise arise from them.

The corridors BB are ten feet wide; the galleries EE are three feet wide, and should be furnished with strong guards, four feet high, to protect the jailer against a sudden thrust by a prisoner into the area below.

The stairs, seen at the end of the cells, should be constructed without risers, which would conceal a prisoner from the jailer approaching from behind. "Avoid all hiding places," is a cardinal maxim in jail-building. "Use no wood where iron or stone can be substituted for it," is another maxim of equal importance.

The greatest point of all in jail construction is to have the prison so arranged that a constant oversight of the prisoners can be kept up by the jailer without the knowledge of the former. The passage P affords the most perfect means for the accomplishment of this object. A narrow slit, about one-sixteenth of an inch wide, is cut in the rear wall of the cell, which is beveled upward, downward and laterally, so that a person in the passage can see what a prisoner is doing in his cell at any moment, without his knowing that he is under inspection. Very little mischief can be done where this mode of examination or oversight is provided.

The cells and other arrangements of the basement will be readily understood by an inspection of the diagram and references. The basement cells are intended for the most dangerous prisoners, and are consequently made the strongest. Stout iron rings should be inserted firmly in the walls of two or three cells, in order that chains may be attached to them if necessary.

The two cells next to the guard-room may be used for punishment cells. For this purpose, a wooden door may be hung outside the grated one, which, when closed, makes the cells perfectly dark. When confined in such a cell on bread and water, the most stubborn prisoners usually yield. These punishment cells should be provided with fans on the outside in the guard-room, which can be worked from time to time by the turnkey, so that an abundant supply of pure air may be furnished to the prisoner under confinement.

The room H, in the basement, may be used as a bath-room by the prisoners.

Jails should be heated by steam radiators, and, when practicable, lighted with gas. Fires accessible to the prisoners and movable lights are always dangerous. The cells should be furnished with swinging iron bedsteads, and the hinges should be so firmly anchored in the partition walls between the cells, that they cannot be drawn

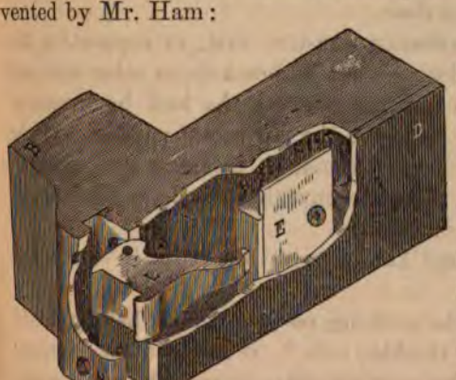
but without pulling down the wall. The bedstead should be made very firm, and be strongly riveted, so that the prisoner cannot pull it apart. Many escapes and assaults on jailers have been made by weapons formed from ill-riveted iron bedsteads.

Three windows, each seven feet wide, extending from the floor of the cells to the top of the jail block, are introduced into the walls on each side of the building.

The basement is not therefore directly lighted, but receives the light slantwise from the windows, the bottoms of which are on a level with the top of the basement cells. The prisoners in the narrow cells receive light only through the grated door of their cells. Those in the larger cells receive light and air not only through the grated door, but through a window three by four feet, as shown in the plan. The basement is intended to be wholly above ground; but no cellar beneath it is recommended.

One of the large cells may be fitted with an acoustic apparatus, consisting of a dome in the top of the cell, so curved as to reflect all sounds into its axis. From this a pipe is carried into the passage P where an officer can distinctly hear every word uttered, even in a whisper, by prisoners. In this way many secrets may be revealed, which will be found of the utmost importance in the administration of criminal justice.

It is hardly necessary to say that much of the security of any jail depends upon the structure and reliableness of the locks. There are two different locks now being manufactured, either of which may be relied upon with confidence, unless we are very much mistaken in our judgment. One of them was invented by L. M. Ham, of Boston, Mass.; the other by Chas. E. Felton, superintendent of the penitentiary at Buffalo, N. Y. The following is a diagram of the lock invented by Mr. Ham:



Mr. Ham thus describes his lock: "It is a spring lock for cell doors, which contains the elements of strength, simplicity and security in an eminent degree, as it fastens by merely shutting the door (requiring a key only to open it), and when fastened, the door is held as in the grasp of a hand, a portion of the bar being completely encircled with iron.

"A heavy iron casting, made in the form of a box, about twelve inches long, four inches high and eight inches deep, is built into the mason work on one side of a cell door, the outer side of the box and a portion of the end next the door being made in one piece, so secured to the other by dogs and protected screws that it can be removed at pleasure. To the inside of the removable piece, on the end farthest from the door, is attached a common lever spring lock, and on the other end and next the door is pivoted a heavy lever tumbler, with jaws like those of a wrench, extending from the door jamb, and its lever extending back to the bolt of the spring lock. When shut, the door fits between the jaws, and the bolt of the spring latch firmly holds the ends of the lever. The tumbler is pivoted near the *inner* jaw, so that when the spring latch is drawn back, pulling the door will force the *outer* jaw of the tumbler back within the jamb, and allow the door to open; but when the door is being closed, it strikes the inner jaw, which forces out the outer jaw and latches the lever end of the tumbler beneath the spring bolt.

"The machinery is simple and durable, consisting, as it does, only of the spring lock and the tumbler, and the door is always fast when closed; but for further and more complete protection, the striker on the main casting is hooked round towards the front, so that the bar of the door will just fit into the space between it and the door jamb, and so that it will cover the jaws of the tumbler, making a band of iron around the bar into which no tool can be inserted to spring the door away from its fastenings."

The annexed diagrams represent the lock invented by Mr. Felton.

Mr. Felton, in his application for a patent, thus describes his lock:

"Figure I is a horizontal section of my improved lock. Figure II is a front sectional elevation. Figure III is a perspective view of the same, as applied to a prison door.

"The nature of this invention consists, first, in supporting the secondary bolt in the inclosing shell by brackets, or otherwise, and connecting it to the main working parts of the lock by means of brace-bars, so that the key will give it a movement parallel with the movement of the common bolt; second, an inclosing case, having a hinged right-angled cover, so constructed that the door, when closed, will cover the inner fastening thereof.

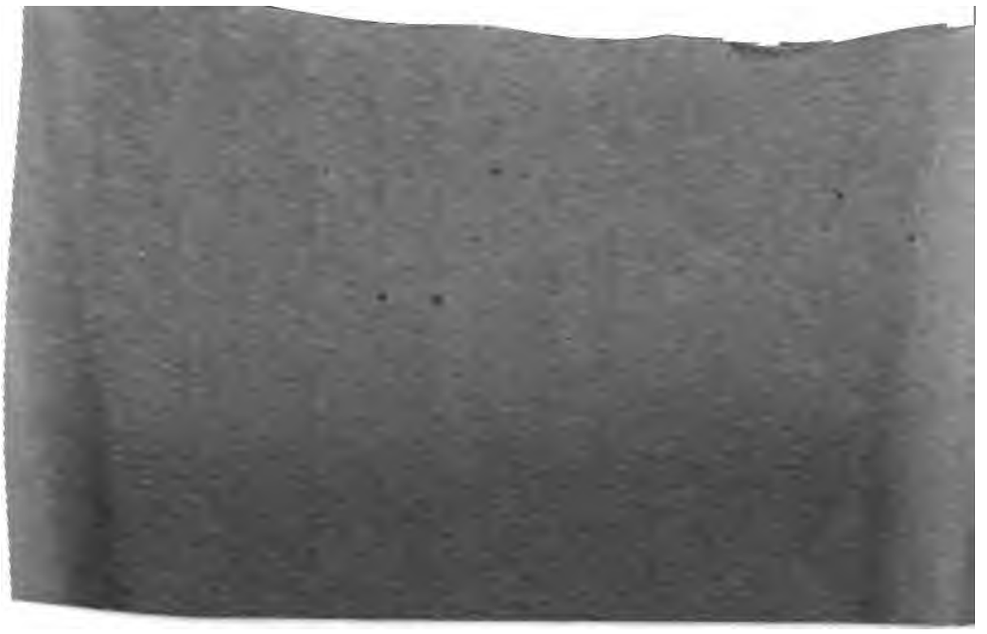
"Letters of like name and kind refer to like parts in each of the figures.

"A represents a lock, the working parts of which belong to that species commonly called "tumbler lock." B represents a triangular metallic shell, in which the working parts A, and the other operating parts of my improvement, are contained. This shell is provided

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and easily be unlocked by a keeper. The shell or frame B b^1 should

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with a right-angled hinged cover b^1. The tumbler-lock A is firmly secured to and within the shell B, by means of screws a^1, and is located close to the front of the cover b^1, the cover having an opening, in line with the key-hole of the lock, for the insertion of the key therein, as shown at a^2, Fig. I. D represents the bolt of the lock A. E represents a secondary bolt, which locks the door. This bolt E slides in bearings e^1 e^2, cast on the frame of the shell B, and moves parallel with the bolt D. FF^1 are brace-bars which form a connection between the bolts D and E. The brace F is placed at right angles, or nearly so, to the bolts, and one end thereof works loosely in a hole made in the bolt E between its supporting brackets. That end of the brace F^1 which is attached to the back end of the bolt D, passes through a short slot f^2, made in the back plate of the tumbler-lock A for that purpose. By means of this arrangement of the bolts D and E, and brace-bars FF^1, the bolt E will have a movement parallel to and corresponding with that of the bolt D, when operated by the lock A, in a common manner. And it will be observed that, no matter how far distant the bolt E is situated from the bolt D and lock A, or how far the lock A is removed from the corner or jamb of the wall, the movement and action of the bolt D will be directly communicated to the bolt E. The bolt E passes through the iron frame of the door, as shown at G, and shoots into the edge of the door. The iron door frame or jamb G has a flange g^1 projecting behind the door, which effectually prevents any meddling with the bolt E from the inside.

"When the lock is used as a prison lock, it answers its purpose admirably. The lock A and key-hole are entirely removed out of sight and reach of the prisoner, and he is also prevented from interfering with and destroying the bolt E. The shell B is first firmly secured within the wall, then the iron door frame is placed in position, as shown in Fig. I, and after the lock A and the other operating parts have been arranged within and attached to the shell, the hinged cover or door b^1 is closed, and the end thereof slipped in between the door-frame G and the shell, and screwed thereto by the screw g^2, passing the iron frame G, cover b^1 and shell B, as shown by dotted lines in Fig. II.

* * * * * * * *

"For prison purposes, the door should be hung on the inside of the front cell wall. The key-hole a^2 should be at sufficient distance from the inside of the cell to prevent the prisoners tampering with the lock by means of keys, picks, or otherwise. The lock should be near the surface of the wall, that the door may the more quickly and easily be unlocked by a keeper. The shell or frame B b^1 should

be so constructed and fastened as to be secure against violence, and impossible of being opened by the prisoner in the cell when the door is locked, but readily opened (for repairs or other reasons) when the door is unlocked. For this purpose the shell is placed in the wall, as shown in Fig. III, the front b^1 being fastened with an inside hinge at and secured to the jamb of the door by means of screws g^2, their heads being covered by the door when closed."

* * * * * * * *

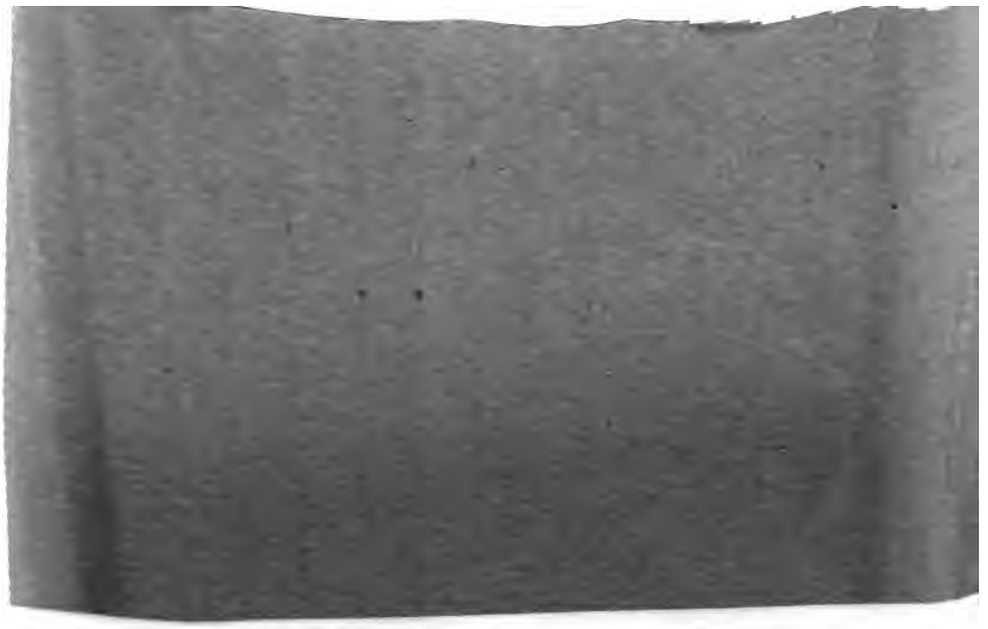
It is obvious that the plan of a jail, herewith presented, is capable of indefinite extension. With a basement and first story as in the plan, 34 prisoners may be accommodated; by adding a third tier, 48; and by the addition of a fourth tier, 66 can be separately confined; and by doubling the length of the present place, 132 can be accommodated, besides those who are confined in the privilege cells.

The number of females committed to prison varies so much in different localities that it is impossible to lay down any rigid rules for their confinement. In many places, the privilege rooms will be sufficient for their accommodation. Where they are more numerous, one side of the prison must be set apart for their reception. This should always be in the upper tier of cells, and this tier should be separated by a light double floor from the rest of the prison. About three-quarters of an inch of mortar should be spread between the floorings. Some women are so noisy and violent that they might be heard by the male prisoners. This is always to be avoided, and to meet the case, three or four of the cells should be built with double walls about three-quarters of an inch apart, and the intervening spaces filled with perfectly dried sand. There should be double wooden doors on the outside similarly filled with sand. This will effectually deaden the sounds, and prevent any communication whatever between the sexes.

In all jails in which any considerable number of women are confined, there should be a matron in charge of them, who might occupy one of the privilege rooms.

When window gratings are made of tough malleable iron, they cannot be broken, but they can be readily sawed; when protected by chilled iron, they cannot be sawed, but may be broken by a smart blow. The most perfect protection is afforded by two gratings, one of soft iron on the outside, and one of chilled iron on the inside. The gratings should be firmly anchored in the stone work, but should not be made to fit so tightly that no room is left for expansion during the summer heats.

It should never be forgotten that ample provision must be made for ventilation. Steam heating will be the chief and most reliable



Lith of Weed, Parsons & Co., Albany, N. Y.

VIEW OF MODEL STATION HOUSE.

GRIDLEY J.F. BRYANT, ARCHITECT.

Boston, Mass.

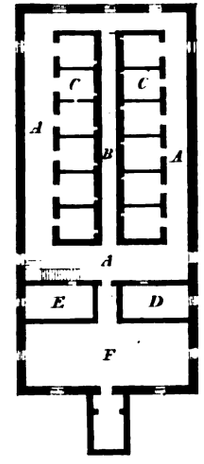
PLAN OF BASEMENT

Scale 48 ft. 1 inch

GRIDLEY J. F. BRYANT,
Architect
Boston, Mass.

PLAN OF FIRST STORY.

DESIGN FOR MODEL STATION HOUSE.



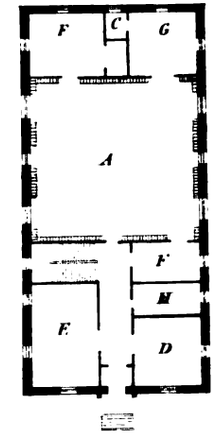
PLAN OF BASEMENT

A Guard Room.
B Property Room.
C Water Closets.
D Captains Office
E General Office
F Kitchen
G Coat Room
H Clerk

BASEMENT.

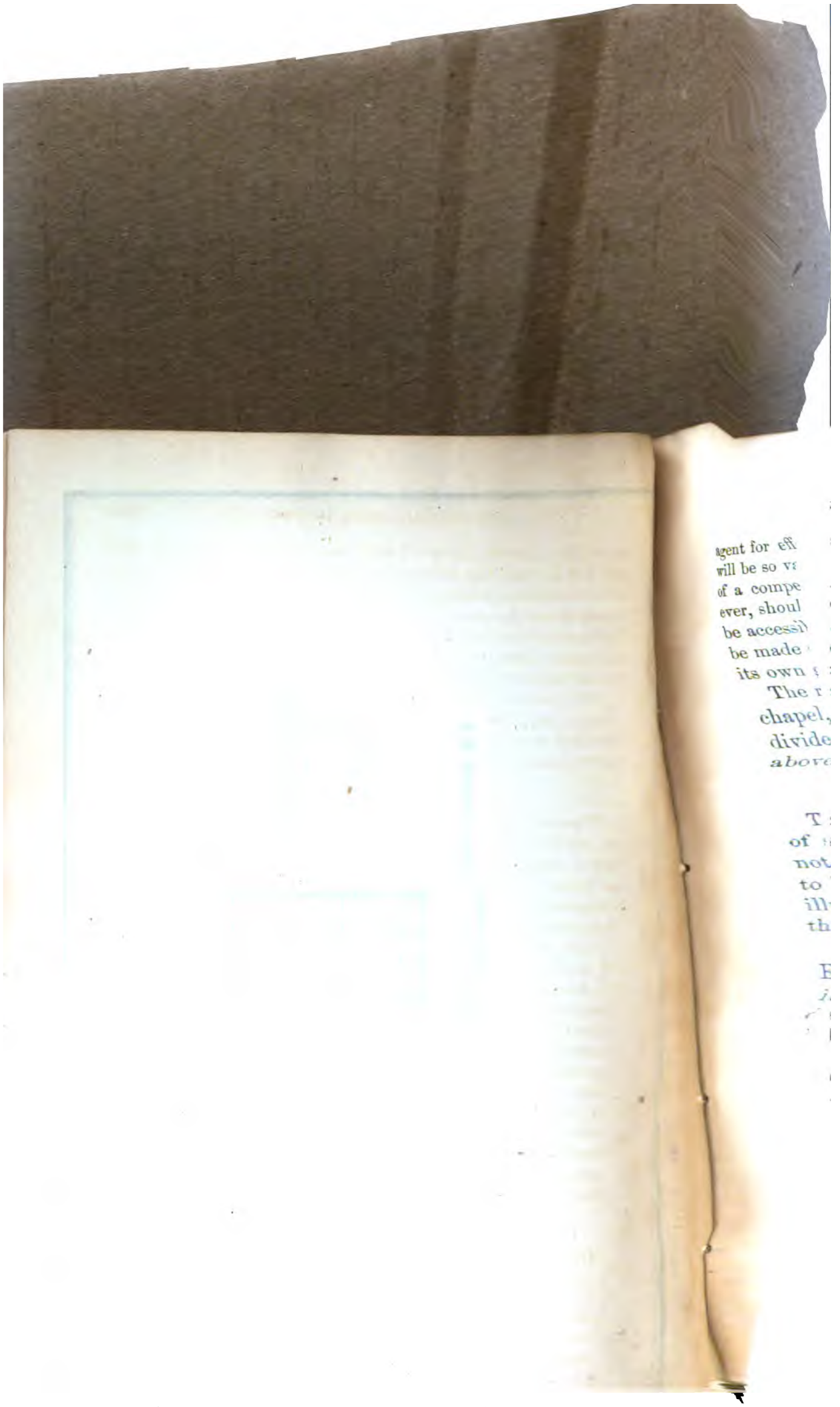
A Corridors
B Passage
C Cells.
D Water Closets.
E Storage
F Heating.

Scale 48 ft 1 inch



PLAN OF FIRST STORY.

GRIDLEY J F BRYANT,
Architect
Boston Mass



agent for effecting it at all times, but the mode of its application will be so varied by circumstances that it must be left to the advice of a competent architect in each particular case. One rule, however, should be invariably observed, viz., the ventilator must never be accessible to the prisoner. The bottoms of the windows should be made sloping so that every thing laid upon them will slide off by its own gravity; otherwise they will furnish hiding places.

The room over the guard-room A, may be used as a hospital or chapel, or, if the number of prisoners is not large, the space may be divided into two rooms, one of which may serve for each of the above-named purposes.

2. A Model Station-House.

The same general principles should be kept in view in the selection of sites for station-houses as in selecting them for jails; but they are not so absolutely essential. In some cases, it may even be desirable to have them in the very worst parts of a city. The annexed plans illustrate the views of the committee as regards the construction of this class of prisons:

The heating apparatus F, the water-closets D, and the store room E are in the basement. The whole length of the building is 102 feet, its breadth 42 feet. It may be carried up as many stories as may be desired. The cells CC are 8 by 9 feet. Two of them may be furnished for the drunken and vermin-infested prisoners with sloping wooden platforms, which can be drenched daily by a hose from the hydrant. There are five broad windows on each long side of the building, and two wide and one narrow at the rear end. The guard room A in the first story is surrounded on all sides, as seen in the plan, with small closets for the clothes of the policemen. It is also to be used as a drill room for the squad, a small rostrum C being placed opposite for the sergeant, while instructing the men. The third and fourth stories contain the sleeping apartments for the police when "off duty," and also rooms for the decent homeless.

In order to adapt the model of a station-house, such as we have given, to the use of country places, where something of the kind is essential, it would be necessary greatly to simplify its construction. A few cells, well warmed and ventilated, with an ante-room (for access and light), would be all-sufficient for the ordinary country "lock-up" or guard-house; and these could be attached to some other building if more convenient. The structures at present used for this purpose in country towns, even of considerable population, are often disgracefully inadequate and unfit for the imprisonment of human beings, even for the short period during which they are generally so

used. Many of them are merely strong sheds or pens, attached to alms-houses, without proper light, air, cleanliness or means of being heated. In Massachusetts the law requires that every town of 3,000 inhabitants shall maintain a "lock-up," and though this act is but indifferently complied with, so far as respects the fitness of these small prisons for the use to which they are destined, the effect of it has been greatly to improve their condition, as well as to increase their number. A similar law in New York and other States, with a clause (not found in the Massachusetts act) subjecting them to regular inspection by proper officers, would be a great means of improving the class of prisons of which we speak.

As our cities and villages increase in size, and the population of the country grows denser, there is an ever increasing necessity for these station-houses. Every year adds to their number, and will be likely to do so hereafter in an accelerated ratio. Many of the existing prisons of this class are a disgrace to our age and country. We hope the plan herewith submitted may commend itself to the judgment of those who are charged with the duty of erecting such prisons, and that it will be a means of causing better structures of this character for the future.

3. A Model House of Correction.

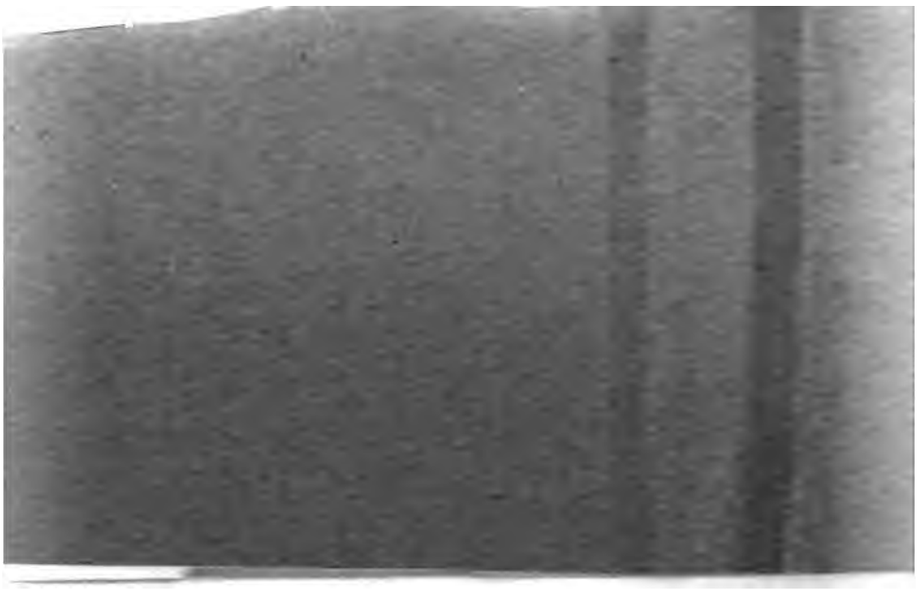
A few of the States, as Massachusetts, New York and Michigan, have a grade of prisons intermediate between the State prison and the county jail, called house of correction, penitentiary, work house, etc. In New York, these prisons are named penitentiaries, and are all local institutions. The Prison Association has long urged the creation of district prisons, situated at convenient points throughout the State, and placed under State control. The committee do not propose to repeat the arguments by which this view has been enforced in former reports, but they desire to place on record their strong conviction of the great importance and utility of this class of prisons, not only in New York, but in all the States.

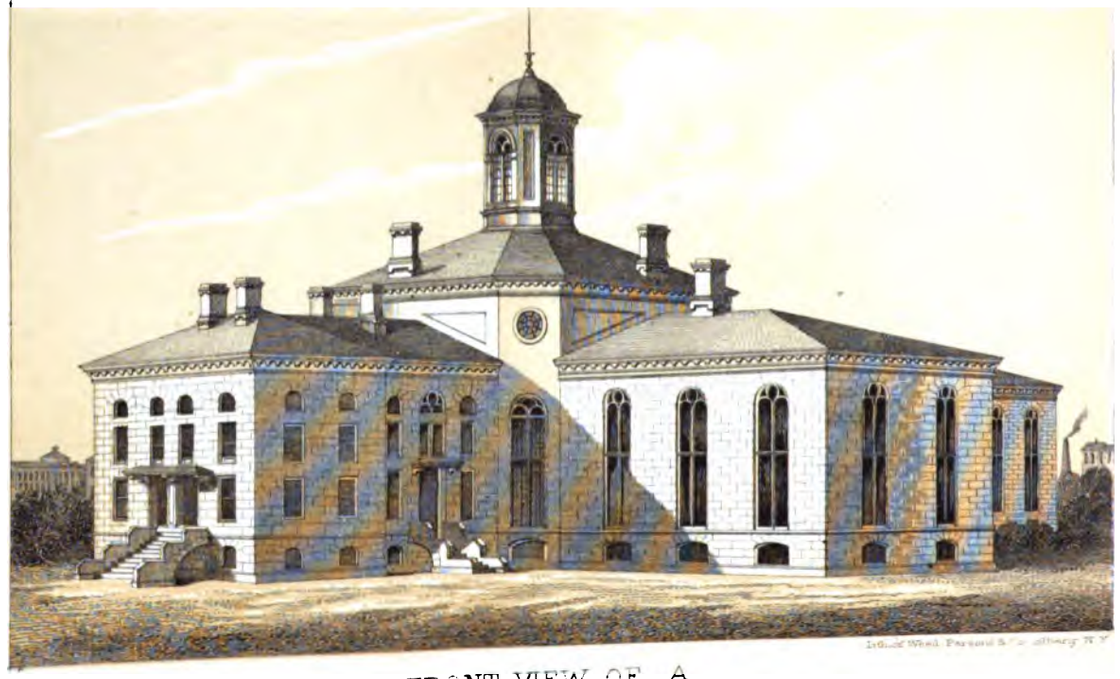
The committee submit the following diagrams, as embodying the results reached from the best thought and investigation they have been able to give to the subject:

We have not depended solely on ourselves in the preparation of these plans, but have availed ourselves, as well, of the judgment of experienced keepers of prisons of this class, particularly that of the veteran prison officer, Capt. Robbins, of Boston, who has carefully examined the plans and gives them his sanction.

We do not know that we need add any thing by way of explanation of them. We have entire confidence that buildings







FRONT VIEW OF A



erected in accordance with them will fully meet the demands of the day, and favorably compare with any plans yet carried into execution. Perhaps it may be well to state that the dots in the plan of the guard room, lettered R R R R, represent an iron picketing, which is designed to resist a sudden and concerted rush of the prisoners into this apartment. It is meant to hold them in check long enough to enable the officers to bring their weapons to bear upon the revolters. There can be no danger after this, as it will be seen that the corridors can all be swept by musketry.

It is proper to add, further, that it is intended that there should be two stories above the guard room, one to be used as a chapel, the other as a hospital.

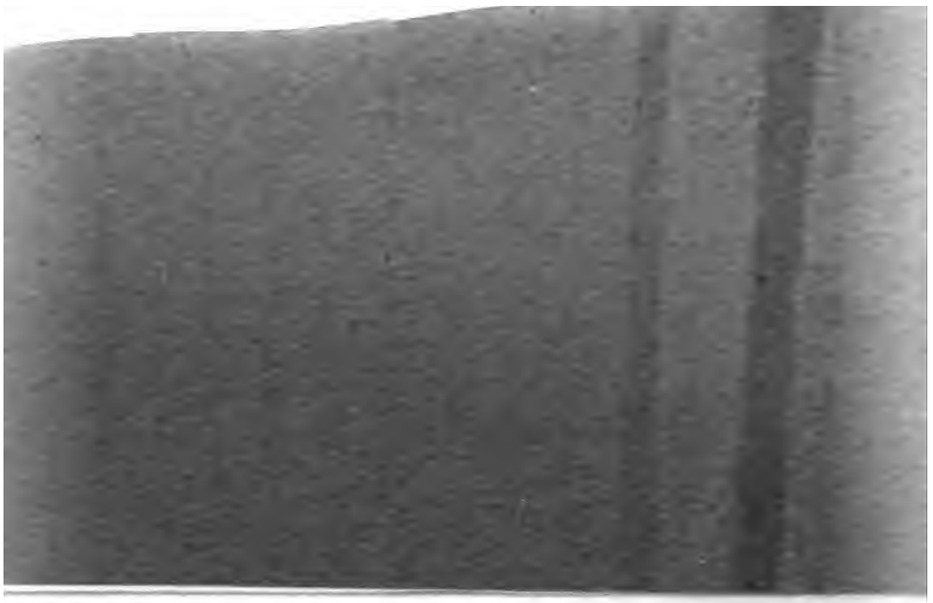
4. A Model State Prison.

The following diagrams present the ideas entertained by the committee of the buildings suitable for a model State prison:

The great objects to be kept in view, in fixing on the site of a State prison, are — ease of access, proximity to a good market, facility of transportation, the means of obtaining lucrative employment for the prisoners, cheapness of supplies, salubrity of situation and capability of effective drainage.

Little need be added by way of illustration of the plans given above. Like those for the house of correction, they tell their own story.

It will be observed that the large cells in the basement marked K K, 9 by 12 feet and 9 feet high, containing 972 cubic feet of space, are intended for the solitary confinement of incorrigible and dangerous prisoners. These cells may be transferred, if thought best, to the next tier. As drawn, the only light they receive is from the door, but they may be supplied with windows, as in the plan for jails. This arrangement will meet a long felt necessity. It is well known by those who are practically acquainted with the actual working of prisons, that much of the restraint and many of the most vexatious and irritating rules of the prison might be safely dispensed with, if three or four per cent of the prisoners could be removed. These three or four men are the cause, therefore, of unnecessary and injurious restraint to ninety-six or seven men; besides this, all the rebellions and violations of discipline, and the assaults and murders of prison officers, are committed by this small and well ascertained class of prisoners. It is intended by the provision of this kind of cells to put an end to this source of confusion and injustice. The men who are ascertained to be dangerous can be separated from the great mass of the prisoners, and kept in solitary confinement at hard labor in these



ample cells; thus making it possible to treat the remainder with more leniency and kindness, without injury to the discipline of the prison. Sections 44 and 45 of the prison act of the State of New York, passed in the year 1847, provided for the building of these cells in each of the prisons of the State; but the inspectors have ever since violated the law by their refusal to build them.

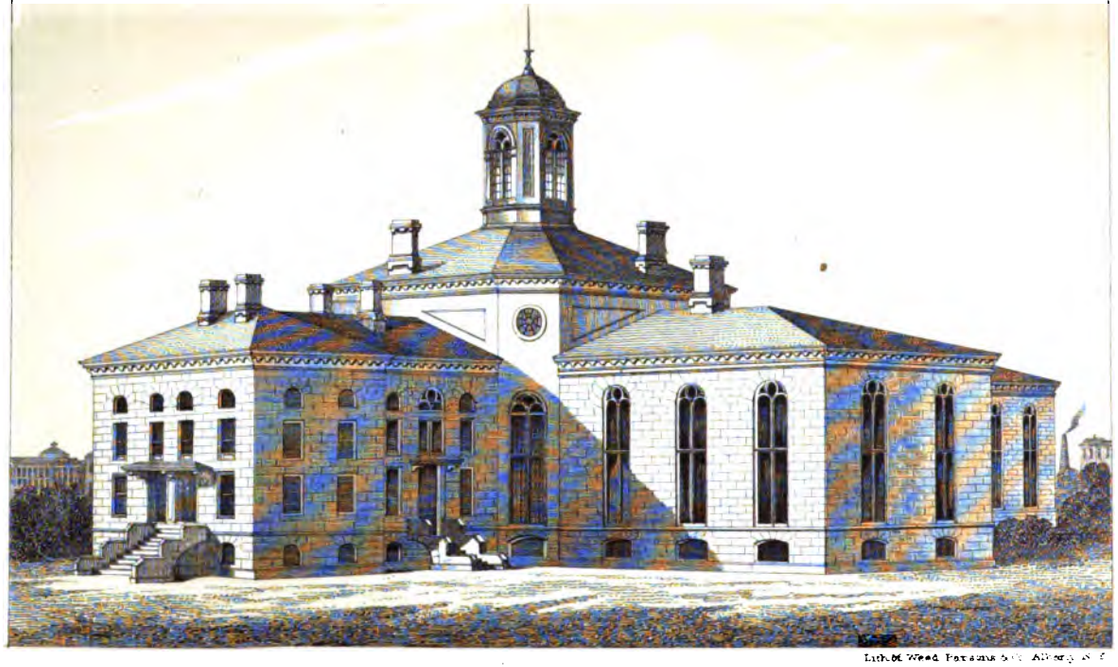
The fence, marked by dotted lines, between the corridors BB of the prison and the guard room, is made of plate glass and iron, which permits perfect supervision of the prison from the guard room, but prevents a sudden rush of the prisoners into it, as explained when speaking of the house of correction.

Two wings only are represented, but it is intended that there shall be, when needed, a third wing in the rear, which, with a view to economy of space, is only suggested in the diagram. Each wing is 110 feet long and 50 feet wide. Each block of cells, arranged in four tiers, will have accommodations for 148 prisoners; the three blocks will therefore accommodate 444 prisoners. This is quite as many and more, in our judgment, than should ever be grouped together under the care of one warden; but if it is deemed essential to have accommodations for more, an indefinite extension can be made by increasing the length of the wings.

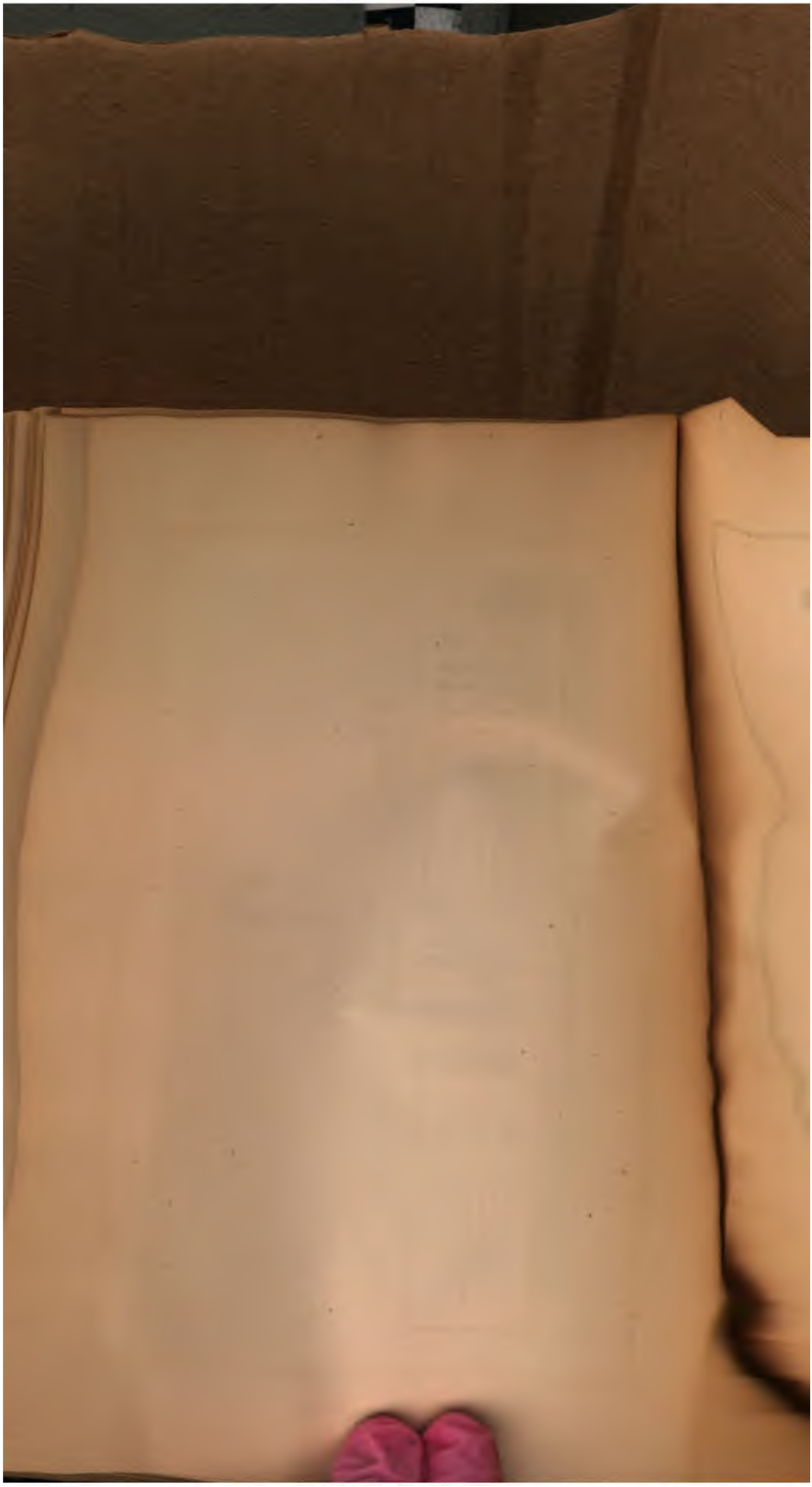
It will be understood that this plan embraces only the prison proper. The shops, the laundry, the school room, the mess room (in prisons where the inmates eat together), the store rooms for clothing and bedding, and the bathing rooms are all to be provided for by buildings erected within the prison inclosure. The room immediately over the guard room, and of the same dimensions with it, is designed to be appropriated as a chapel; and a third, over the chapel, to be used as a hospital, with an elevator for lifting up sick prisoners.

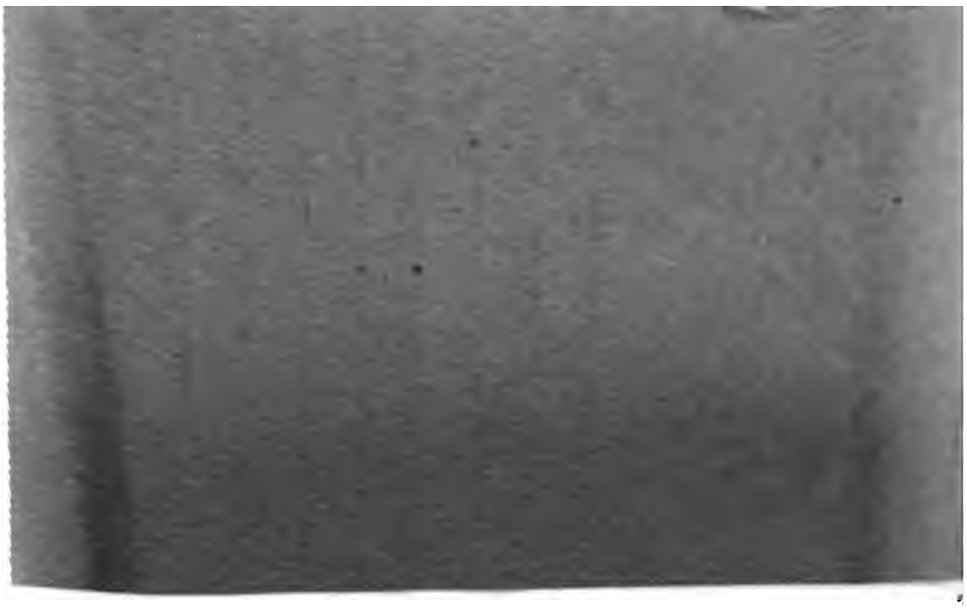
The exterior construction of prison buildings must be left to local authorities and architects to carry out agreeably to their own views of economy and beauty. They may be constructed with ornate architectural embellishments, or in a more simple and less costly manner, as the choice of the tax-paying public may dictate. Yet, as some suggestions respecting the exterior of prisons may be acceptable, we have given such exterior views as have been designed by our colleague, Mr. Bryant; adding this remark, however, that *taste* in prison architecture is no more *arbitrary* than taste in the exterior architecture of any other class of building.

The late Louis Dwight, for many years secretary of the Boston Prison Discipline Society, was accustomed to say, "A prison should be so arranged that its chief officer should see all, know all, and care for all." We subscribe to the sentiment, and all the details of the

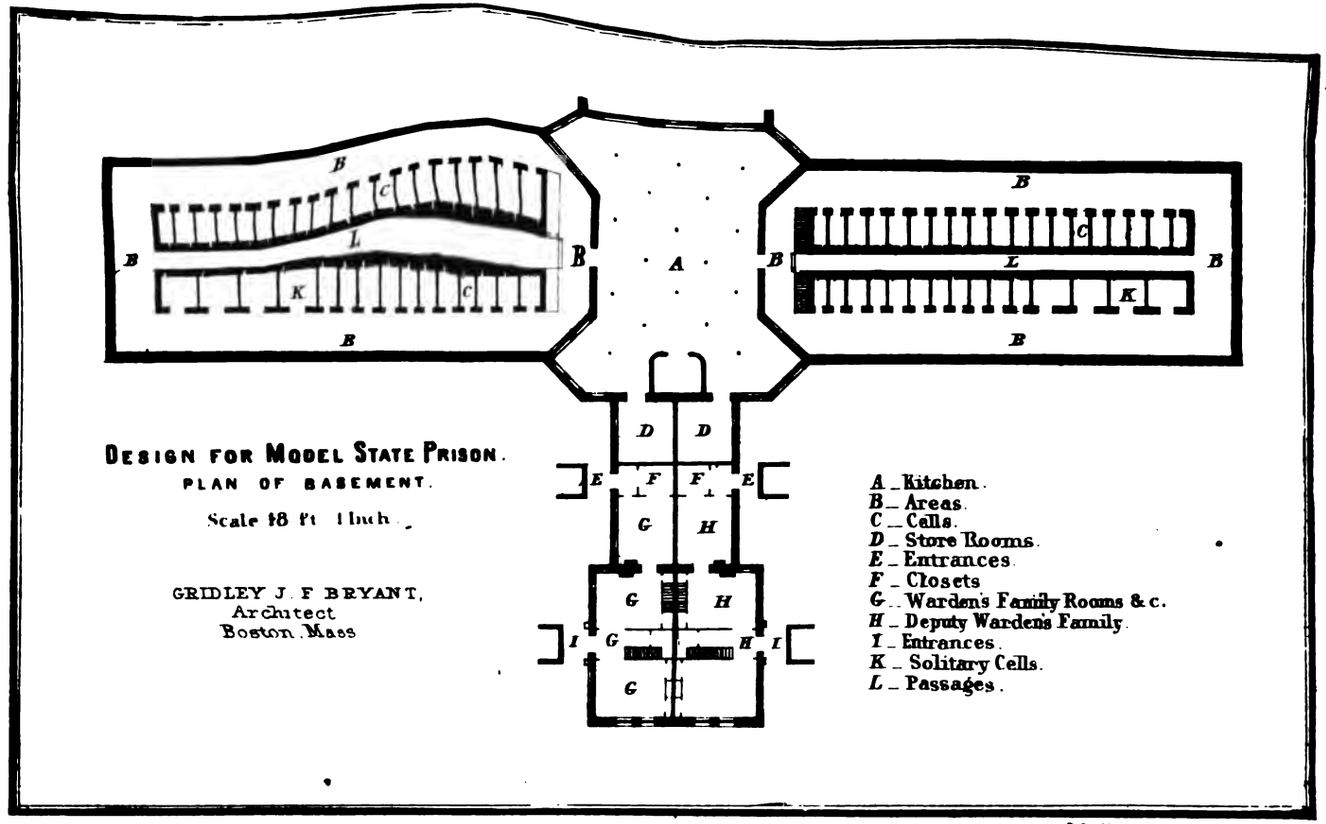


FRONT VIEW OF A
MODEL STATE PRISON



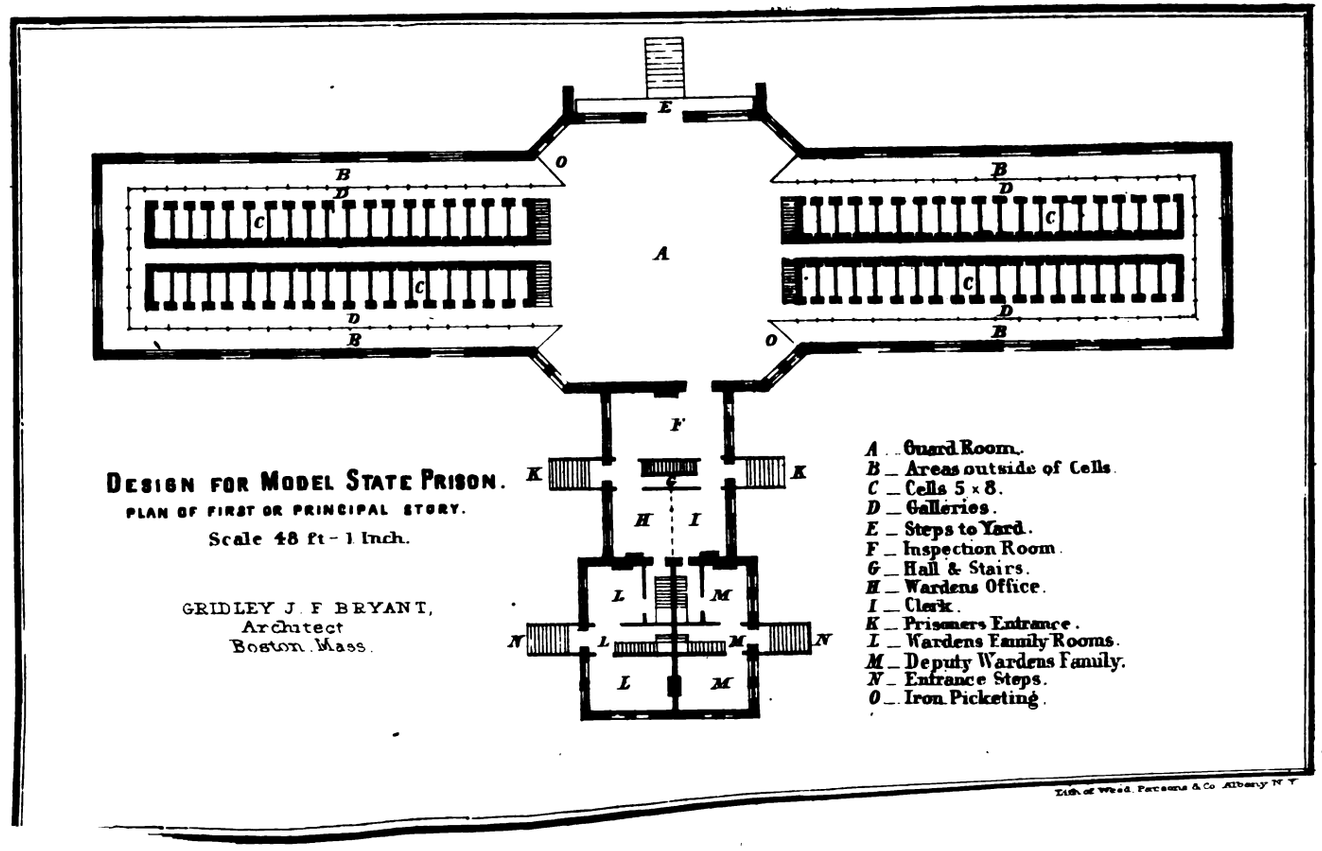


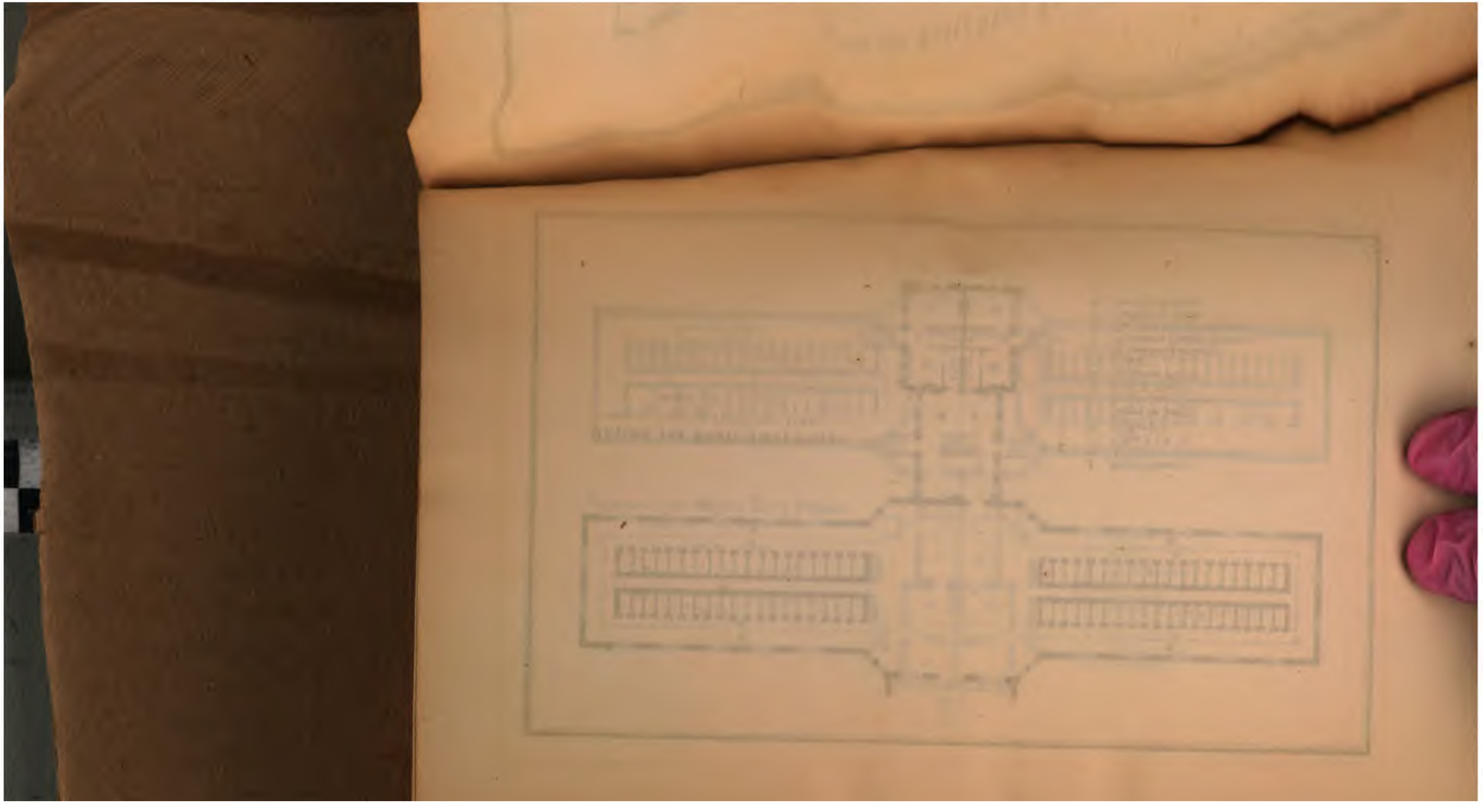


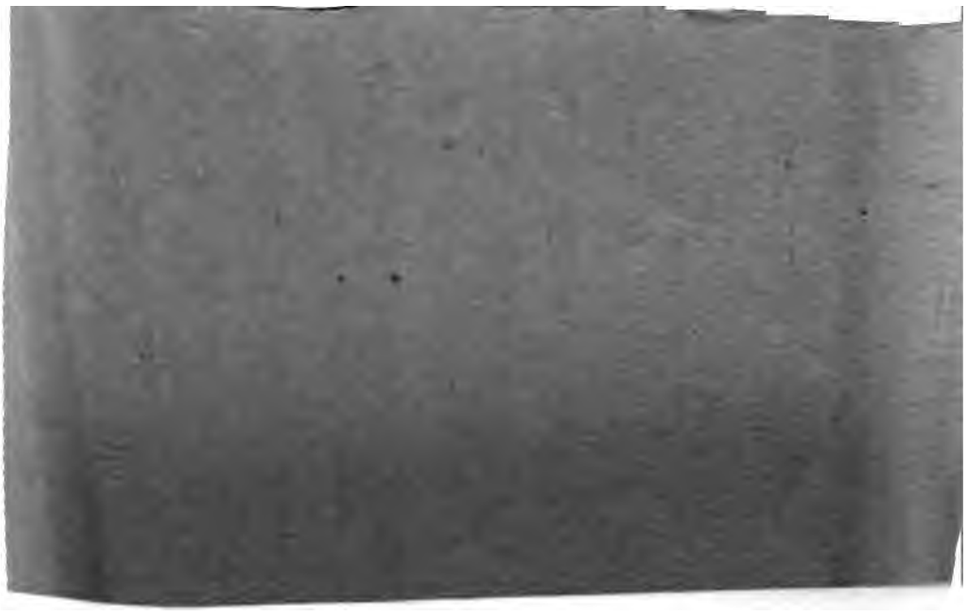


Lith of Weed Parsons & Co Albany N Y

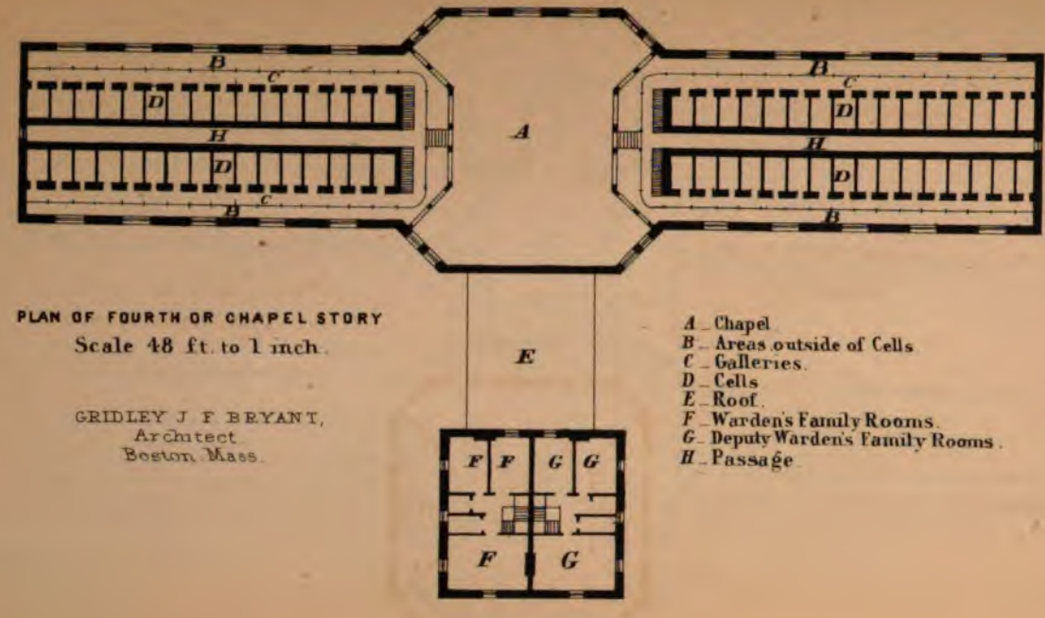



E
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DESIGN FOR MODEL STATE PRISON.
PLAN OF FIRST OR PRINCIPAL STORY.
Scale 48 ft - 1 Inch.
GRIDLEY J. F BRYANT,
Architect
Boston. Mass.
A . . Guard Room.
B _ Areas outside of Cells.
C _ Cells 5 x 8.
D _ Galleries.
E _ Steps to Yard.
F _ Inspection Room.
G _ Hall & Stairs.
H _ Wardens Office.
I _ Clerk.
K _ Prisoners Entrance.
L _ Wardens Family Rooms.
M _ Deputy Wardens Family.
N _ Entrance Steps.
O _ Iron Picketing.
Lith. of Weed, Parsons & Co. Albany N. Y.





Design for Model State Prison.



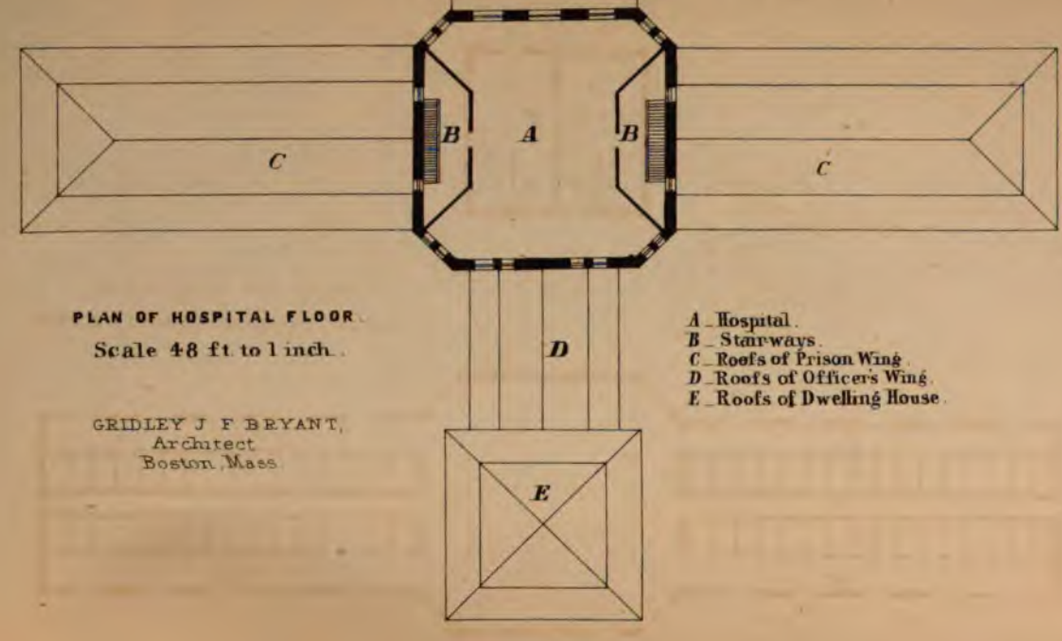
PLAN OF FOURTH OR CHAPEL STORY
Scale 48 ft. to 1 inch.

GRIDLEY J. F. BRYANT,
Architect
Boston, Mass.

A _ Chapel.
B _ Areas outside of Cells
C _ Galleries.
D _ Cells
E _ Roof.
F _ Warden's Family Rooms.
G _ Deputy Warden's Family Rooms.
H _ Passage.

Lith. of Wm. J. Pearsons & Co., Albany N.Y.

DESIGN FOR MODEL STATE PRISON.



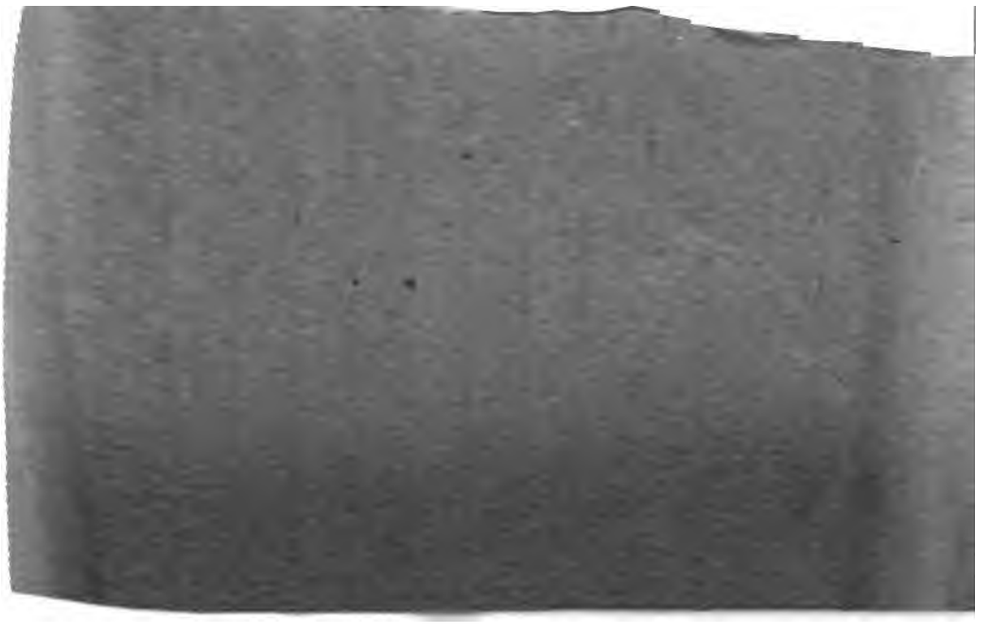
PLAN OF HOSPITAL FLOOR.

Scale 48 ft. to 1 inch.

GRIDLEY J. F. BRYANT,
Architect,
Boston, Mass.

A _ Hospital.
B _ Stairways.
C _ Roofs of Prison Wing.
D _ Roofs of Officer's Wing.
E _ Roofs of Dwelling House.





lans given have been contrived with a view to facilitate this result. t is believed that prisons built in accordance with these views will e secure against escapes and fire, easy of supervision, admitting dequate classification, readily kept clean, sufficiently light and airy, vell guarded against surprises from without and assaults within, free from undue liability to get out of repair, meeting all the demands of sanitary science, affording the necessary facilities for mental improvement and moral reform, and admitting of enlargement to any desirable extent.

In 1858, at the request of the Hon. J. G. Blaine, of Maine, Mr. Bryant prepared designs for a State prison, for that State, capable of accommodating from 200 to 250 convicts. As these plans are substantially the same as those recommended in this report, the colleagues of Mr. Bryant have deemed it proper to insert his description of the same in the following extract:

"The design embraces a prison structure, having a house for warden and deputy warden and for officers' quarters, connected with and forming part of the edifice; with work shops, yard, yard-wall, guard-stations, gateways and other appurtenances considered necessary to be connected with, and to be located upon, the site of a State prison, in which all the most desirable principles of prison discipline may be carried out. The principal structure is designed to consist of a central octagonal building, with three wings radiating from three of its sides. The central building is to be used as a kitchen in its lower or basement story; for a guard-room and general office in its second story; for a chapel in its third story; and for a hospital in its fourth story.

"Two of the wings, on opposite sides of the central building, are designed to be used for prisoners, and each of said wings is to contain a block of cells within the exterior walls, arranged upon the 'Auburn' plan, so called; being a prison within a prison, each block containing four stories of cells, thirty-two cells in each story. The spaces between the blocks of cells and the exterior walls of the wings are to be appropriated as areas. Within these areas at the level of the floors of the second, third and fourth stories of the blocks of cells, galleries are to be placed the entire length of each block; these galleries are to communicate with staircases placed at the inner end of each block of cells within the central octagonal building, and connecting with the guard-room, and extending up to each story of cells, and to the chapel and hospital. The guard-room is separated from each area of the two prison wings by an open iron picketing, extending from floor to ceiling of the guard-room with doors in the same leading to the areas and galleries of the cell blocks, as well as to the chapel and hospital, thus yielding instant communication with every cell, in both wings, from the guard-room floor of the central building. The several stories of the central building will be lighted by large windows placed in the angular corners, and in one of the sides of the same, and the cells will receive light from the areas, which in turn will be amply lighted by large windows in the exterior walls of the wings. Each cell will contain a liberal ventilating flue, carried up to a large ventiduct, to be placed upon the block of cells, and connected with ejecting ventilators placed upon the outside of the roof. The roof of the central building is surmounted by a cupola, in which may be placed a clock and bell for the establishment.

"The third wing is to be appropriated for the families of the warden and deputy warden, officers' quarters, and the necessary incidental offices and apartments required for the institution. The first or basement story will contain dining rooms,



kitchens, wash rooms and store rooms; the second or principal story will contain parlors, sitting rooms, entrances, staircases, warden's and deputy warden's offices, inspectors' room, etc., and the remaining stories will contain chambers, and other necessary sleeping apartments as required. The floor of the principal story and lower story of this wing will be on a uniform level with the floors of the corresponding stories of the central building. There is to be a cellar beneath the central building and the last named wing.

"The central building is to be 69 feet in width, square, outside of its walls, and its first or basement story will be 10 feet clear height; its guard-room story 19 feet clear height; its chapel story 15 feet clear height, and its hospital story 13 feet clear height.

"The area on each side of the cell blocks will be 12 feet wide and as high as the cell block itself.

"Each wing containing the cells will measure 102 feet in length and 49 feet in width, outside of its exterior walls. Each cell will be 8 6–12 feet long, 4 6–12 feet wide, and 8 4–12 feet high. The remaining wing will measure 89 feet extreme length and 46 feet extreme width, outside of its walls; its first or basement story will be 10 feet clear height; its principal story 12 feet clear height; its third story 10 feet clear height; and it will have a finished story in the roof.

"*Materials.*—All the exterior walls should be built of granite ashler, split in regular courses, and backed up with hard burnt merchantable bricks, to make a total thickness of two feet for the walls of the central building above ground, and the two prisoners' wings; and sixteen inches for the remaining wing. The cell blocks should also be wholly of stone, but may with propriety be entirely of hard burnt bricks except the floors and ceilings of the cells, which should be of stone flagging. The area floors should be of stone flagging. The doors of the cells should be of round wrought iron bars, and other doors connected with the prison portion of the structure of wrought plate iron. The windows in the prison portion will be grated with wrought iron. The galleries around the cell blocks, at the level of every story of cells, will be of stone flagging, supported by wrought iron bars and cast iron columns. The guard-room floor, forming the ceiling of the kitchen, is to be of stone flagging supported by iron beams and columns. The registers of the ventilating flues are to be of cast iron. A wrought iron bedstead is to be put up in each cell as a fixture to one of its walls. All the staircases leading to the cell galleries should be of iron. The floors of the chapel and hospital, together with the roofs of the central building and wings may be of wood framing. All the window frames and sashes may be of wood and glazed. The outside of the roofs should be slated and coppered, and fitted with copper gutters. The cupolas may be of wood and covered with metal. The wing appropriated to the families of the warden and deputy warden, and officers' quarters, will be finished with such materials as is usual for dwelling houses, excepting several of the doors for the offices will be made of iron, and the windows grated with iron. The principal wall dividing the two tenements should be of brick. The kitchen in the central building should be paved with bricks laid in cement, and the flooring of said kitchen forming the ceiling of the cellar should be formed with groined or segmental arches laid in hard bricks and cement, and resting on suitable brick piers in the cellar. The ceilings of the guard-room chapel, hospital and areas should be plastered immediately beneath, and at the level of the roofs of the wings.

"The work shops, boundary walls, and other necessary adjuncts should all be constructed with stone, but may with propriety and safety be of brick.

"The foregoing brief statement of the style and quality of materials designed to be used in the construction of a model State penitentiary, is not intended as a full and complete mechanical specification of works to be performed, but rather as a guide for information to those interested in the matter of the adoption of a plan for a new penitentiary for the State of Maine."



5. General Remarks.

The plan for a State prison, recommended by the committee, is, matter of course, based upon and conformed to the exigencies of ystem of imprisonment commonly practised in this country, and vn as the Auburn or congregate system. The committee, how-, feel no hesitation in expressing the hope that the system which become famous under the name of the Irish prison system, with modifications as may be suggested by experience and the circum-ces and institutions of our country, will gradually work its way ıe approval and general adoption of our countrymen. When this l be the case, if ever, new plans for prison buildings, in whole or art, will become necessary to meet the new demands of the im-ved discipline. The plans then required will be determined by special forms which the system may take, and the special pur-es which may be sought to be accomplished by it.

But it is proper for us to say that, in administering the Irish on system, it is not, in our judgment, indispensable that build-s should be provided anew, since the essential features of the em can be applied in prisons constructed on the Auburn plan, vided that there is somewhere in the State a sufficient number of s for the preliminary separation of newly sentenced convicts. e number of these being always small in proportion to the whole nber under sentence, the cells required need not be very numerous.

2. The cost of prison structures, of whatever class, is a point well rthy of attention, and will probably be so regarded by those on om the responsibility of erecting them is laid. There has been, late years, a growing and, as we cannot but esteem it, an unfor-ıate disposition to lavish money in the erection of prisons, both as pects the materials used and the degree of architectural embellish-nt given to them. The State prison at Joliet, Illinois, has cost over nillion dollars, and that now in process of construction at Leaven-orth, Kansas, is to cost a million and a half. Supposing this latter contain 1,000 cells, the cost of each will be $1,500, the interest on ıich, at the rate paid in the Western States, would be $150, and is would be the cost of rent for every convict confined in the ison, a sum which covers the entire cost of each convict in the onnecticut State prison, including subsistence, clothing, officers' laries, interest on cost of prison, etc. We would have prisons of very class substantial and tasteful structures, but to prisons of a ighly ornate and costly construction we are strongly opposed, and ıat on the following grounds: 1. Such buildings add not a little to ıe cost of crime, a burden already quite as heavy as the public find convenient to bear. 2. The chief points to be aimed at in prison

construction are security, facilities for industrial labor, adaptation to reformatory aims, ease of supervision, and a rigid economy. Costly materials and high architectural adornments are not essential to any of these ends, and are directly subversive of the last. 3. A prison with a stately and imposing exterior has a mischevious tendency to give importance to criminals and dignity to crime. We therefore trust that, as a people, we shall speedily rid ourselves of that strange vanity which leads us to make a parade of moral deformity. 4. The science of prison discipline is yet in its infancy. Able minds in Europe and America are turned, with earnestness and vigor, to the study of this problem. New principles or new applications of old ones are continually evolved. One improvement suggests another, and it is not in the power of the most far-seeing sagacity to forecast the results of such ceaseless and energetic efforts. One thing, however, is certain — public opinion is gradually changed by them, and society comes at length to look with disfavor upon prisons which are incapable of admitting the improvements suggested by experience. Whenever such an era arrives, if it ever does, among us, the old prisons will not meet the new ideas, and will have to be abandoned, or essentially modified. It is therefore highly important that prisons should be built upon the least expensive plan consistent with their fundamental objects and the demands of good taste; otherwise they become obstacles to improvement — obstacles difficult to be overcome in proportion to the amount of money expended on their construction. How much harder, for example, would it be to induce Kansas to adopt a prison system which would require the abandonment of buildings that cost a million and a half of dollars, than it would Connecticut, whose whole outlay on her State prison, from the start, has been less than fifty thousand dollars. Let us not imagine, then, that our prison edifices must be so constructed as to last through all coming ages; rather let us hope that the advance of sound principles will be so rapid, and the consequent change of public opinion so great, as to require material alterations in our methods of prison construction, to meet the demands of a higher and juster philosophy of public punishment.

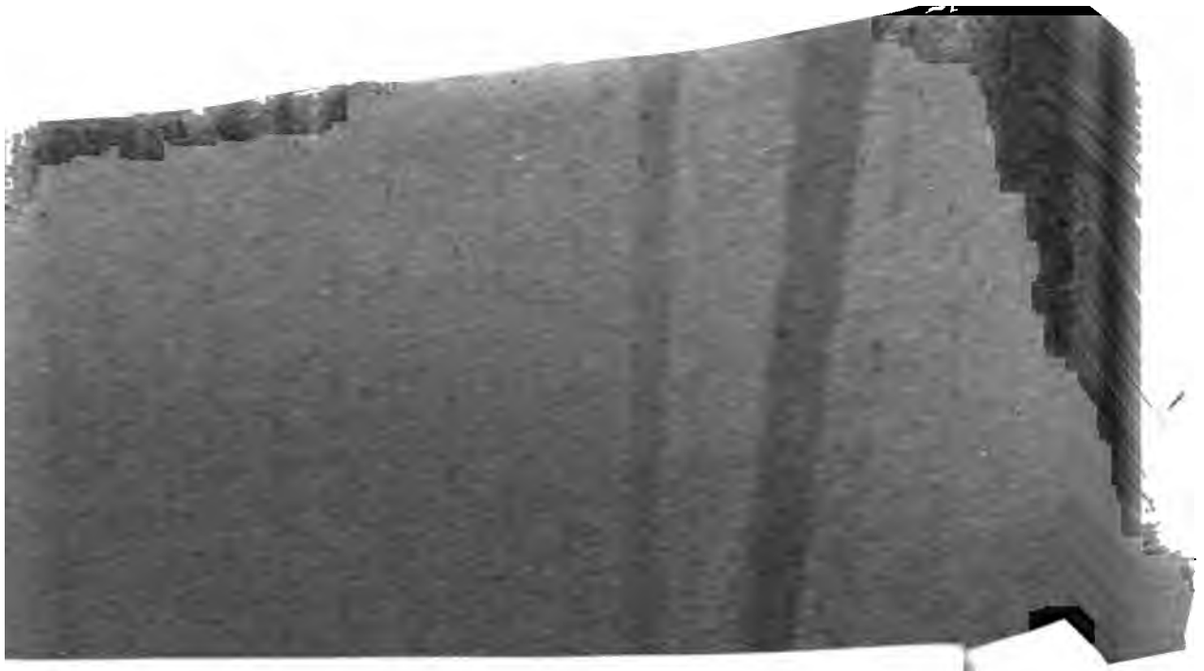
3. In all points of view — whether as regards the productiveness of labor, the facility of oversight, the health of the prisoners, security against escapes, or economy in building — the plan of a State prison or house of correction should be simple, with as few divisions, passages and stairways, and as few obstructions to vision in the yard as possible. In respect to these matters, improvements of the greatest value may often be made by the mere removal of division walls and staircases. This principle has a special importance in reference



:he disposition and arrangement of the outbuildings of a prison, h as workshops, storerooms, etc. We know prisons not a few ere the principle is egregiously disregarded; but none offend in s regard to the same degree as Sing Sing and Clinton prisons, in w York, where the outbuildings, so far as the want of regularity l system is concerned, appear to have come down in a rain storm.

4. The separation of the sexes should be secured by confining em, in all cases where it is practicable, in distinct buildings, and ese at a distance from each other. Such separation is desirable on oral, economic and administrative grounds. It is desirable on oral grounds, because when the two sexes are confined in the same ilding or the same inclosure, the very fact of this contiguity has exciting and demoralizing effect, and leads to endless attempts to mmunicate, which are frequently, against all probability, success-l. It is desirable on economic grounds because, first, prisons built less expense would be sufficiently secure for women; and because, condly, the management would cost less, as female keepers require ss pay. It is desirable on administrative grounds, because, in pris-is where there are inmates of both sexes, there is always a difficulty apportioning the responsibility of the warden and matron. A oman is at least as able to govern women as a man, and will cer-inly govern better, abstractly considered, when the whole responsi-lity rests upon her. To the commissioners of the Prison Associa-on, who a few years ago visited the State prisons of eighteen States, mplaint was everywhere made of the trouble arising from the im-risonment of the two sexes in the same prison, and the conviction as quite as generally expressed of the desirableness of their com-lete separation by confining them in different prisons, and placing ose prisons in different localities.

5. The plan for county jails, recommended by the committee, is onstructed in accordance with the existing theory of these institu-ions, which makes them receptacles for two entirely different classes f prisoners, viz., persons arrested and held for examination or trial n a charge of crime, and persons convicted and sentenced for minor ffences. At the same time, we must be permitted to enter our mphatic protest against the theory itself. There ought to be, in ur judgment, a complete separation of the accused and the con-icted, and to this end there should be provided entirely distinct uildings for their reception and treatment. Even the ancient Roman law distinguished between the "*carcer*," the house of leposit or detention, where the accused were simply guarded (*cus-odiri*) to secure their appearance before the court where they were to be tried, and the "*vincula publica*," the prison in which the sen-



tenced underwent their punishment. The law added this reason for the distinction: "*Carcer enim, ad continendos homines, non ad puniendos, haberi debet*" (the jail should be regarded as a place for *detaining* men, not for *punishing* them). The old French law made the same distinction: "For the *sentenced*, the *prison;* for the *accused*, the *jail*" (*la chartre*), and this distinction is recognized by the French law of to-day, as the following extract will show: "There is near each district tribunal a *house of arrest* to confine those who shall be sent there by the police officers and a *house of justice* to confine those against whom a writ shall have been issued, and that independently of the *prisons*, which are established for *punishment*. * * * The *houses of arrest and of justice* shall be entirely distinct from the *prisons*." The law further ordains that these houses of detention shall be kept clean; that the keepers shall be men of good character and morals; that the food of the *détenus* (the detained) shall be abundant and wholesome; and that they shall be treated with *kindness and humanity*. These principles are rational and just; they are as consonant to reason as they are to humanity; and the committee are unanimous and decided in the opinion that our common jails should, conformably thereto, be made simply houses of detention, in which the accused (who are often innocent and always presumed to be) should enjoy all the moral and material comforts accessible to the generality of men. With the sole exception of the deprivation of liberty, nothing in these places of detention ought to take on the afflictive austerity of the prison. No doubt every citizen, when the public weal requires it, is bound to pay the painful tribute of a forced detention till his innocence is established, but justice demands a detention which separates him from all impure contact. To meet this demand requires that we advance one step further; that is, that we keep the accused from one another by means of cellular separation, the only proper and rational mode of detention for this class of prisoners. To refuse to the accused such a shield against contamination, is at once a denial of his right and an abuse of power. It is to impose on him a punishment which may have the gravest consequences both for himself and society, and which, therefore, no plea can either justify or excuse.

6. The practical adoption of the principle advocated under the last head, would draw after it, as an essential part of its prison system, the establishment by every State of the house of correction, penitentiary, district prison, or by whatever name the authorities might choose to call the institution, holding a middle place between the common jail and the State prison. This we regard as "a consummation devoutly to be wished." The Prison Association has



advocated the creation of such district prisons for New York, they are equally important for other States. All persons con-d of minor offences should be sent to them and put at ; and, on a second, or at most a third conviction (the repe-n of the offence showing a proclivity to crime), their sentences ld be made long enough to allow reformatory processes to take t upon them, so that idle and vagrant habits might be replaced hose of industry and thrift. The advantages of such prisons ld be: 1. Industrial labor might be fully organized in them. he cost of crime would be diminished by the income derived such labor. 3. The common jails would be relieved by the nce of their worst inmates. 4. The separate prisons for women, mmended under a former head, could be more readily introduced. eparate prisons for the young, a matter of the gravest impor-e, might fitly form a feature in the system. 6. The State ons would be relieved by the punishment in these institutions of bers now sent to them. 7. The crowning recommendation of system of district prisons would lie in the reformatory character e impressed upon them.

. The Committee desire to place on record their opposition to e prisons. In our judgment, three hundred inmates are enough orm the population of a single prison; and in no case would we e the number exceed five or six hundred. Moderate sized ons are preferable, both on industrial and reformatory grounds; especially are they favorable to what the founders of the Irish on system call *individualization* — the study of the special quali-and characteristics of each prisoner, and the adaptation of the cipline, as far as may be, to his personal peculiarities.

3. The plans for a model State prison and a model house of cor-tion, given in a former part of this paper, are based upon the suppo-on that the prisoners will take their meals in their own cells. This he usual practice in New England, but in most other prisons on congregate plan the convicts eat in a common dining hall or ss room. The reason assigned for the former method is, that it ows the prisoners a season for rest and reading, and affords the icers an opportunity to take their meals at the same time and in less hurried and more comfortable manner. The other mode is vocated on the ground that it is less troublesome. In point of ct, the distribution of meals to be eaten in the cells would be possible in prisons of such enormous dimensions as those at ng Sing and Auburn, New York; Columbus, Ohio; Joliet, Illinois, d perhaps a few others. The Committee do not take sides on this estion, for they regard it as one of quite subordinate importance.

We only wish to call attention to the fact that, where the plan of a common mess room is adopted, it will be necessary to erect a separate building for the purpose in the prison yard, and to connect with it a kitchen in the same building.

9. The chaplain should be provided with an office, easily accessible to the convicts, in some of the buildings within the prison inclosure. The library may be kept either in his office, or, if preferred, in the guard room.

10. In conclusion, the committee would express the earnest hope that a school room will soon come to be regarded as a necessary appendage to every State prison and house of correction; and when this is so, as a matter of course it will become necessary to add a building for this purpose, or to fit up a room in some other of the structures erected within the prison inclosure.

JOHN STANTON GOULD,
E. C. WINES,
GRIDLEY J. F. BRYANT,
F. B. SANBORN,
} *Committee.*

XXII. REPORTS ON COUNTY JAILS.

By Committees.

1. Jails visited by Hon. Charles J. Folger.

behalf of the Prison Association of New York, there were ted, inspected and examined" the jails in the counties of Mon-)ntario, Yates and Seneca; the last named of these having two — one at Ovid, the other at Waterloo.

Census of the above Jails for the year 1868.

COUNTIES.	Whole number committed.	Greatest number at one time.	Smallest number at one time.	Average daily number.	Number at time of inspection.	Number committed for felonies.	Number committed for minor offences.
e	657	45	18	....	21	100	557
o	314	36	8	19	30	40	274
	50	7	1	4	4	....	....
	25	8	0	....	3	5	20
erloo	233	13	1	6	7	41	192
ggregates	1,269	109	28	....	65	186	1,083

ne whole number of women committed in the above jails was ; of men, 1,101.

owhere have the inmates of these institutions any industrial loyments. They assist, more or less, in cleaning the jails and omestic service; that is all.

small library is reported for the use of the prisoners in Yates nty; elsewhere, none. In most of the other counties, the weekly ers (secular and religious) are furnished; and in some, books n the jailer's private library. Friends also sometimes send in ks for the use of prisoners.

ecular instruction is given to such prisoners as may need it in counties of Monroe and Yates, but to what extent, I am unable tate. Nowhere else is such instruction afforded.

The jails at Waterloo, Ovid and Penn Yan have no religious vices; the jail at Rochester has such a service, which is conducted a protestant layman; and that at Canandaigua has also a like vice, conducted in turns by clergymen and laymen. The exer-

cises consist of reading the Scriptures, singing, prayer, and preaching or exhortation.

The law requiring that a Bible be placed in each cell is not generally complied with; it is reported as obeyed in the jails at Ovid and Penn Yan. Religious tracts are occasionally distributed in all; and in all but one, benevolent persons sometimes visit the prisoners to converse with and counsel them.

No fault can justly be found with the rations of the prisoners. The food is abundant and as good as should be expected; possibly, in some cases, better.

All the jails visited have a regular physician, except that of Yates county. In the larger prisons, the physicians attend at stated times; in the others, only when sent for. The usage as to compensation varies; sometimes it is by salary, sometimes by the visit. In the jails at Ovid and Rochester, special rooms are provided for the sick; in the others, not. There was no sickness in any of the prisons at the date of inspection, and little during the year other than venereal. One death occurred (in the Rochester jail); besides this, none.

Very little opportunity is anywhere afforded to the prisoners for exercise in the open air. They are almost wholly restricted to the corridors of the prison.

The drainage in all the prisons visited is reported as good or fair. The privies are mostly well placed; that at Rochester, especially so, being directly over the river. Night buckets are used, and everywhere washed daily; in Ovid, twice a day. In some, lime water is used for cleansing them.

The supply of water is from wells and cisterns. The water is, for the most part, good in quality and sufficient in quantity. A large tank is placed in the second story of the Waterloo jail.

Defective ventilation characterizes all the jail buildings, and this especially as far as the cells are concerned; with the exception of the new jail at Waterloo, in Seneca county. This is provided with flues from each cell, connecting with the chimney.

In all the jails, the prisoners are required to wash themselves in the morning; water in abundance, together with soap, towels and combs, being provided. An exception, however, is to be noted in Monroe county, where towels and combs are withheld.

None of the prisons have bath tubs. The only means of washing the person is in tubs—in Rochester, a large vat. Ablution of the person is not made obligatory, except in the case of prisoners coming to the jail in a filthy condition. In such cases, it is commonly required.

ers' under-clothing is washed weekly.
re used in the Ontario county jail; everywhere else, iron
s. The beds are of straw, and are changed as often as neces-
heets are provided in the jails at Penn Yan, Ovid and
; in the others, only blankets. Sheets are washed weekly;
in some prisons, once a month; in others, once a fortnight.
two jails of Seneca county, the prisoners are allowed nine
sleep; in the others, they sleep as much as they choose.
e jails inspected are well lighted during the day. No lights
itted at night in those at Rochester and Canandaigua. In
Ovid and Waterloo, candles are allowed until nine; in that
Yan, until eight.
uildings are all heated by stoves, and are kept at a comfort-
perature in the coldest weather.
is little, if any thing, of what may properly be called dis-
n these jails. Almost the only punishment used is close con-
in the prisoner's own cell; though shackling is sometimes
to in the jail of Ontario county. To the question, "What
eans are employed to secure good conduct?" the replies
Good advice;" "moral suasion;" "the Scriptures;" "coax-
d—in the Waterloo jail—"those whose conduct will war-
re allowed, occasionally, certain liberties."
nly classification of prisoners is that of a separation of the
ough something more is claimed for the jail at Ovid; but
is, I cannot state.
Ontario county jail, at Canandaigua, was built fifty years ago.
ls on a wide, pleasant street, on descending ground, and its
iry and healthful. It is a stone structure, with partitions
same material, and a shingle roof. The male cells are for
upant; the female for two. It is considered secure. There
escapes during the year.
Monroe county jail is at Rochester. It was erected forty
go, on what is called the "Island," the east wall being next
Genesee river. Both the outside and partition walls are of
the roof of tin. Its dimensions are 150 feet by 75. The
and height of the cells are 7 feet, and their width 4 feet,
198 cubic feet to each. There is also a larger room, about 10
uare. No escapes occurred during the year; the prison is
d as secure.
Seneca county jail, at Ovid, was built in 1845. It has an
d site between Cayuga and Senaca lakes. The basement is
e, with partition walls of the same; above that it is of brick,
nly lath and plaster divisions. It has a shingle roof. The

building is 60 by 40 feet. The cells are 8 feet long, 5 feet wide, and 8 feet high, giving 320 cubic feet of space. There is a general female ward, with spaces of four feet between the beds. No escapes have been effected during the year. The prison is secure.

The Yates county jail, at Penn Yan, was built in 1857. The site is pleasant and airy, in the suburbs of the village. The material of the walls (exterior and interior) is stone; but it has a shingle roof. The cells are 9 by 4 feet. Regarded as secure — no escapes.

The Seneca county jail, at Waterloo, is the newest and best of the jails examined, having been erected in 1867. It is on a site adjoining the court house, elevated, open, airy and healthful. The outer walls are of brick; the partition walls, of stone; the roof, of tin; the dimensions, 33 by 32 feet. The cells are 7 x 4 x 7 feet. No escapes.

The visitation of the jails by the county judge and grand jury is thus stated by the sheriff:

Monroe Co.: "Five or six times a year."

Ontario Co.: "County judge has not been this year — grand jury each session, three times — superintendent of poor house, twice."

Yates Co.: No report.

Seneca Co.: Ovid jail — "Twice a year." Waterloo jail — "Once a year."

The prisoners confined in the several jails at the date of inspection were interrogated, and the following facts concerning them ascertained from their answers:

COUNTIES.	Under 21.	Over 21.	White.	Colored.	Native.	Foreign.	Married.	Unmarried.	Lost one or both parents before 13.	Protestant.	Catholic.	Had learned a trade.	Had no trade.	Could not read.	Could read only.	Could read and write.	Intemperate.	Temperate.	Served in late war, (Males.)	Had not served. (Males.)	Whole number.
Monroe,	7	14	21	...	8	13	10	11	9	4	17	14	7	1	1	19	11	10	8	10	21
Ontario,	12	18	27	3	24	6	10	20	13	24	6	7	23	5	3	22	12	18	7	14	36
Yates,	1	3	4	...	3	1	1	3	1	3	1	1	3	-	-	4	2	2	1	3	4
Seneca:																					
Ovid,	2	1	3	...	1	2	1	2	1	1	2	2	1	1	...	2	2	1	1	2	3
Waterloo,	3	4	7	...	4	3	2	5	1	1	3	3	4	1	...	4	4	3	2	4	7
Total,	25	40	62	3	40	25	24	41	25	33	32	27	38	8	6	51	31	34	19	33	65

I would simply add that the record of commitments to the Seneca county jail, at Ovid, is for a period of eight months only. The present jailer entered upon his duties the 1st day of April, 1868. His predecessor left no data, from which the numbers committed under him could be ascertained.

CHAS. J. FOLGER.

2. JAILS VISITED BY JNO. H. GRISCOM, M. D.

dersigned inspected the jails in the counties of Erie, Tomp-
uyler, Broome, Chemung, Tioga, Allegany, Chautauqua,
arren, Saratoga, Washington and Columbia.

ral, I feel obliged to report that no very marked improve-
re observed in said county jails, as having been made
last report of them, though it is gratifying to be able to
in some instances the local managers are more than ordina-
ssed with the importance of the reformatory and hygienic
of the inmates. In most of them, material changes
anagement are still very desirable. In several instances,
the prevention of impurity of the air is anxiously sought,
rom the cells was pronounced by the keepers to be "awful."
n of the cells is in general entirely omitted, though in a
some attempts are made in this direction.

l of Broome county, at Binghamton, is one of the most
nly and convenient in its arrangements. It is a distinct
unconnected with the court house. A portion of the edifice
oted to the residence of the keeper and his family, the cells
occupants are under continued observation. Two rooms
ed to female convicts, only one of which — there being but
tes — was occupied at the date of inspection. The male
nt consists of two wards, each containing 10 cells, the doors
open into a hall, in which the occupants are allowed to
ner all day, and are only separated at night. Only 17
used for this purpose, the others being required for the
f coal, wood, etc. As a consequence, there having been as
24 prisoners several times, they are obliged to occupy cells
No occupation whatever is given them. On the Sabbath
visited by clergymen and Christian laymen for religious
on.

ygienic condition of this prison is comparatively good,
the managers make some complaint of the want of cellular
on. No sickness is admitted to have occurred in the build-
pt what has been brought in from outside.

mira, Chemung county, the erection of a new building is in
lation by the board of supervisors; also a workhouse, in
e inmates would be required to engage in industrial labors.
esign is to be executed, it is earnestly hoped that the arrange-
the building, both internally and externally, will include all
improvements, viz., architectural beauty, drainage, water
ventilation, natural and artificial light, and all other sanitary
rmatory facilities. All this can add but little to the expense



of the structure, while the objects to be secured are most important. The eight cells of the present jail in this county are totally unventilated, and the odor from the gases emanating from the night pails (although supplied, when emptied, with chloride of lime) is exceedingly offensive. A good supply of water is obtained from the city works, and an effective system of sewerage relieves the jail and the court-house from the dangerous influences observed in several others. The largest number of inmates at any one time this year was twenty-two, who were partly distributed through other portions of the building, and consequently required special watching to guard against their escape. The proposed new prison being an object of great importance and usefulness for the moral, mental and sanitary interests of all concerned, it is desirable that the design be speedily carried out, and that it be of a kind that shall serve as a model for the imitation of other counties.

In Schuyler county a new prison building was erected in the village of Watkins last year, and opened in February last. The style of the structure is good — the eight male cells being built of stone, with very thick walls, and the female apartments in the second story, though constructed of wood, being comfortable and well supplied with facilities for work. It is, however, sad to be obliged to report a deficiency of the sanitary arrangements which every modern building should have, viz., of ventilation, of water supply and of effective drainage. The evils, therefore, so frequently observed in other similar institutions are sure to occur here. There were no inmates at the time of the examination, and very few have been confined in the prison since its opening. About one-half the building is appropriated to the residence of the keeper, and the whole establishment was neat and clean.

In the Tioga county jail, at Owego, there was not a single inmate, and it had been entirely vacant four weeks. The construction of the interior of the building is peculiar, the walls of the cells both outside and inside being composed wholly of wood, the doors being the only parts incapable of easy destruction. Eight cells constitute the entire structure, in which twenty inmates were confined at one time last year. Although thus defective in those principles of construction essential to the secure retention of the criminals, some improvements were observed to have been made since the last examination. A system of ventilation was stated to be in operation, applicable to each cell, it being asserted that the air is drawn up to the roof by some mechanical apparatus. Notwithstanding this alleged sanitary operation, the sheriff acknowledged that the odor from the night pails was sometimes very offensive, and had in some instances caused

. The undersigned is happy to state that the lady who has
of the sheriff's residence adjoining the jail, and also the
c care of the criminals, is deeply interested in their moral
igions instruction and welfare, and devotes much time and
n to their benefit by supplying them with proper reading and
urces of instruction.

e Tompkins county jail, at Ithaca, there are eighteen cells,
1 were confined eight males. There were no women at the
my visit. The walls between the cells are of wood, while
side walls are of stone — a singular circumstance. In the
of each cell is an opening about an inch in diameter, placed
r ventilation; it is evident that if a good motive power of
existed, these apertures would not suffice, but the absence
such power renders all ventilation impracticable. The build-
vell located and well constructed, with the exception above
No religious service is held even on the Sabbath.

ecting the jail at Angelica, Allegany county, the report pre-
presented was equally well for this year also, requiring to be
d only as to the one item of religious instruction. For the last
religious instruction has been imparted to the inmates of this
There were four persons confined there at the date of inspection.
Legislature three years ago passed an act to remove the
ugus county jail from Ellicottville, where it had previously
o the village of Little Valley. In pursuance of that act,
nd commodious county buildings of brick have been
, at an expense of $30,000, and some fourteen months
e sheriff of the county removed the prisoners to that place.
il is substantial as well as convenient, and in most particu-
ms to be fitly arranged. The cell room is about twenty-five
ty feet in length, and twenty feet in width. From floor to
it is twenty feet. It is lighted by two long windows,
each side, which are guarded by a strong network of iron
s are also all the doors.

re are six cells on the ground floor designed for the conveni-
f prisoners at night, and as places of confinement for prisoners
of unruly or turbulent conduct. Above, are two galleries, one
he other, securely built. With these galleries are connected
ls more, three to each. These upper cells are appropriated
ively to female prisoners.

objections to the cell room are found chiefly in the too con-
l dimensions of the cells. Notwithstanding the lattice work
doors, the air by night must soon become too vitiated for
ful use; and in the construction of the women's gallery, which

extends only three feet in front of the cells, there is afforded no protection from the gaze of the men below, or from the freest interchange of conversation between them. The entrance to this gallery is through a door, opening out of the upper story of the jailer's residence, and the gallery is reached by a bridge extending from the door to the side of the room. At the time of inspection there were but two occupants of this jail. In the fourteen months during which the jail has been at Little Valley, there have been in all forty-six commitments, of which only three were of women. The offences were, in a majority of cases, of an aggravated type. The Methodist clergymen of Little Valley preach at this jail once a fortnight.

The drainage is good.

The supervisors have appropriated $3,000 to bring water from a spring into the building.

One of the most creditable jails in the State is that of Dutchess county, in the town of Poughkeepsie. The arrangement of the edifice, the character of its cellular construction, its degree of ventilation, and the manifest determination of its keeper to do all in his power to secure its health and security, are worthy of commendation.

One of the most discreditable jails in the State is that of Columbia county, its arrangement, both in general and in detail, being very inconvenient and objectionable in point of security, morality, and hygiene. The twelve male cells — very small — are arranged in three stories, with beds lying on the floor, and no ventilation except by the grated doors. The building is attached to the court-house, and constructed of stone; but the cells being made of brick, on many occasions the walls have been cut through in efforts to escape, occasioning much anxiety and trouble. The average number of inmates is about ten; the greatest number at one time was twenty-six; the number at the date of inspection was five males and four females. The supply of water is from a reservoir which is furnished from the roof, and is freely used for cleansing the water-closets; but the drainage is very ineffectual. The site of the court-house and jail is attractive and healthy, but the occurrence of an epidemic disease would not be surprising, and it could be attributable only to the bad sanitary arrangements of the prison. The erection of a new jail, disconnected from the court-house, in a section of the large area in which it stands, and the attachment to it of a sewer sufficiently descending to ensure the rapid removal of its contents, and conveying them to the Hudson river, which is not very far off, especially if well supplied with disinfectants, would be not only creditable to the county authorities, but would be likely to ensure the population from any serious disease, to which they are now much exposed.

General Remarks.

undersigned is sorrowfully obliged to report that, with here
here an exception, no improvement is observable since the
us examinations of the jails visited by him, notwithstanding
merous suggestions made by our Association at various times.
regard to either the moral or educational management, there
iscovered no progressive movements or designs. With regard
r sanitary condition, there appears to be a desire on the part
ir. local managers to improve them, feeling that there is always
to be apprehended from the foul atmosphere occasioned by
nfined excrements of the inmates, and the almost universal defe-
of ventilation. In some instances efforts for the advantage
ble from the use of disinfectants are made, but it is manifest
ie one method employed for the purpose is inadequate. The
eferred to is the infusion of powdered lime into the night pails,
hey have been emptied and cleansed. It is clear that this can-
complish the desired result, as neither the lime nor any other
ectant powder can be brought in contact with the contents sub-
ntly introduced into the vessels. That a foul odor prevails
gh the buildings where this method is employed, was frankly
wledged by the officers, and especially by the physicians.
modus operandi suggested by the Executive Committee, in
iance with the excellent law enacted by the Legislature in
last, viz., the use of the instrument known as the ready dis
or, will most effectively accomplish the object, and, if fully
d out, would unquestionably obviate all the danger from this
ic source of disease.

other and sad deficiency in the management of these county
was observed, viz., the general absence of any efforts to im-
the mental and moral condition of the prisoners. The follow-
ase is offered as an illustration: In the Saratoga county jail
were confined two lads, one 13, the other 17 years of age,
of whom had been there several weeks. Neither had been
ted, the grand jury being assembled only three times a year.
younger lad informed me that he was *unable to read*, and, con-
ently, the whole period of his confinement, in anticipation of
rial, though asserting innocence of the offence charged (grand
ny), was passed in total idleness. Being placed in the same cell
an adult, the latter has been his only instructor, and the lessons
ht him have, probably, been those of criminality only. These
hful cases demonstrate the importance of attaching to every jail
individual whose duty and disposition will be to impart
lastic and moral instruction to all the inmates, especially to

such as those here referred to. Should these boys be convicted of the crimes charged against them, they will probably be sent to the House of Refuge, where they will receive instruction on all subjects calculated to make them virtuous and intelligent citizens; but in the county jails they are not only deprived of the advantages due to them from the government and the community of which they constitute a part, but they are also taught by their associates lessons which render them still more vicious.

JOHN H. GRISCOM, M. D.

3. Jails Visited by the Corresponding Secretary.

The undersigned visited the jails of the counties of Rensselaer, Clinton, Franklin, St. Lawrence, Jefferson, and Albany, the last named county having three jails — one in the city of Albany, one at Cohoes, and one at West Troy.

Rensselaer County Jail, at Troy.

The number of prisoners in the jail at the time of inspection was 37, of whom 25 were men and 12 women, which is about the usual proportion between the sexes. The greatest number at any one time during the year was 80, the smallest 30, and the average daily number 50.

The building and premises remain substantially the same as described in former reports. The jail was erected forty-two years ago, when the population of the city was many times less than it is now, from which fact the ready inference would be, that accommodations provided for a period so remote must be far too limited for present necessities.

This jail, as we have had occasion to say in former reports, is quite unworthy of the large and wealthy city and county for which it affords all the prison accommodations they have; even children, arrested for vagrancy, mendicancy and other peccadillos, being confined with felons of the most degraded and desperate character. It is ill-arranged, badly ventilated, insecure, and scant in its dimensions. Having two fronts flush with the street, it affords great facilities for communicating with the outside, the bad effects of which can be so readily imagined that it is hardly worth while to waste time and paper in enumerating them.

The great evil here, as in most of the other common jails of the State, is promiscuous association; the old and the young, the innocent and the guilty, the accused and the convicted, the novice and the expert being thrown pell-mell together, and forming one huge,

ing mass of mutual contamination and mutual encouragement
rime — a gangrene on the body of society, a mighty motive
r, propelling the ever shifting but always wretched multitude
rd the gulf of irretrievable ruin.

ie Prison Association, both by argument in their reports and by
nal effort, have labored to impress upon the people of Troy and
selaer county the duty of providing a new and better jail. Our
nents have been met by the counter argument that the war debt of
ounty is as heavy a burden as the taxpayers can carry at present,
that, consequently, the needed improvement must await, if not
xtinction, at least the material reduction of that debt. In short,
omy is the plea on which it is sought to postpone to some future
a reform, whose immediate inauguration is urged by the united
s of justice, humanity and religion.

this a wise economy? Is it either clear-sighted or far-sighted?
ably there is not a citizen of Rensselaer county, who will hesi-
to admit that the jail, as at present conducted, is a school of vice
crime. Children and youth, "young men and maidens," enter
ortals, at least comparatively innocent, and come out, as we are
ed to admit they do from other jails, adepts theoretically in
e, instructed in all the arts of the burglar, the pickpocket and
ouse thief, and with their ambition fired to excel in the criminal
ession. How many years will it take for these successive broods
enerations of felons, the most of whom might have been saved
a career of crime by judicious treatment on their first commit-
t, to increase the cost of criminal justice so as to make it equal
he cost of the best planned and best appointed jail that can be
tructed? That is a problem which we respectfully submit to the
y of the taxpayers of Rensselaer county and all other parts of the
e. It is a study that will repay the best attention they can give
Possibly they might convince themselves — certainly they would
ey pursued the study intelligently — that in every county, more
a single jail, and in some, many might have been erected from
moneys saved by the diminished number of arrests, prosecutions
punishments. This reasoning is, of course, based upon the theory
men and women who have fallen, and especially when they have
ped only once, and that perhaps but slightly, may be reformed.
ey cannot be, if those who have committed crime are absolutely
claimable, then let us build cages, thrust them in and keep them
e, like wild beasts in a menagerie, until they die; or, better still,
off their heads, and be rid of them at once.

he prisoners here have no work to do and no books to read; noth-
in short, to occupy mind or body but an endless rehearsal, each to

the others, of their several achievements in crime, interspersed no doubt with plans of escape and the arrangement of fresh deeds of villainy.

Formerly, under the auspices of the Young Men's Christian Association, a regular religious service was held every Sabbath, at which the pastors of the several city churches officiated in turn. But two years ago a prisoner escaped by going down and out into the street with a number of gentlemen who had been present, to add to the interest and usefulness of the service by contributing the aid of their voices in sacred song. The logical issue of such a misadventure would have been greater vigilance and care on the part of the officials: the actual result was the total abolishment of the service, and the interdict continues to the present time. All the Christian Association now does for the spiritual benefit of the inmates of the jail, is to send a boy round every Sabbath morning, who distributes religious tracts and papers among them. It is to be hoped that the authorities will soon find some other means of retaining their prisoners than a prohibition of religious worship, and change their restrictive policy to one more in accordance with the needs of the prisoners and the dictates of Christianity.

Two meals a day are provided for the prisoners. The first is served at 8 o'clock, A. M., and consists of corned beef, potatoes, bread and coffee; the second is served at 3½ P. M., and consists of mush and molasses four days in the week, beef soup, with beans and other vegetables, two days, and on Sundays it is the same as breakfast, *minus* the coffee.

The health of the inmates was good at the time of my visit, there being none on the sick list. The physician to the jail calls regularly every other day, and at other times when sent for. There was one case of fever, and several of measles, during the year. Delirium tremens and syphilis are the most common diseases.

Water is supplied from the city water works, and is abundant for all purposes. There is a hydrant in the second story, and an inmate of the jail is stationed in the hall to carry water to the prisoners whenever they want it. The jail is often scrubbed, and is whitewashed regularly every month; but the whitewash brush is not wholly idle between whiles. Daily ablutions, with soap, are required of the prisoners. There are no bath tubs in the jail, but buckets of water are supplied to those who desire them for washing the whole person, which, I was told, is often the case.

Sufficient sunlight is admitted into the prison to enable the inmates to read during the day. At night, gaslights are kept burning in the hall, and such prisoners as choose to provide them are permitted to burn candles in their cells.



› entire prison is heated by furnaces, and is made comfortable
g the coldest winter weather.
› sexes are well separated, and little communication can take
between them.
enty-one of the male prisoners were interrogated by me, and
llowing facts elicited by their answers: 11 were of foreign and
native birth; 11 had served in the late war for the Union; 20
of the white race and 1 of the black; 13 had learned a trade
had not; 7 were married, 13 single, and 1 a widower; 8 had
ne or both parents before they were fifteen; 2 could not read,
ıld read only, and 18 could read and write; 17 admitted that
were of intemperate habits, and the other 4 that they drank
ionally; 15 said they would never have been in jail but for
; 18 of late years had not attended church, and were habitual
ıth breakers; 12 were reared in the Protestant and 9 in the
sh faith; 9 had been committed once, 7 twice, 3 three times,
six times or more.

Clinton County Jail, at Plattsburgh.

e sheriff, Henry S. Ransom, being absent on the day of my
his wife, who replaces him in his absence and who appeared to
nost excellent and competent lady, answered all questions both
eously and satisfactorily.

	Men.	Women.	Total.
ɔle number committed in 1868,.....	53	15	68
ıtest number at any one time,.....	21	0	21
llest number at any one time,.....	0	0	0
rage daily number,.....	4	1	5
ıber at time of inspection,.....	1	0	1
ıber charged with felonies,.....	35	4	39
ıber charged with minor offences,.....	18	11	29

ıe prisoners have no employment, except occasionally doing little
about the jail, cutting wood and cording it, working in the
ɜn, and the like. They are always glad to be so employed.
ıere is no prison library; but the sheriff furnishes to the prison-
ıot only all the local papers, but all such books as he has in his
library, whenever they desire them and he has reason to think
will take good care of them. Most of the prisoners can be
ɐd with books; a few of them, it was said, seem really hungry
eading; but the taste of most is for literature of the lightest
nost sensational character.
› secular instruction is given to the prisoners. Mrs. Ransom
in several cases to teach boys who had been committed and who
unable to read; but they showed so little interest in learning
she abandoned the undertaking. Spelling books are furnished
ch as can read a little and manifest any desire to improve; and

there have been instances in which considerable progress has been made by such persons.

The youngest boy committed during the incumbency of the present sheriff, was eight years old; but there have been quite a number between that age and the age of twelve.

One of the clergymen of the village holds a religious service in the jail every Monday morning, between the hours of eleven and twelve. The exercises consist of reading the Scriptures, singing, prayer, and a short discourse suited to the intelligence and character of the audience. This service is received with uniform respect, and often with interest by the inmates. Its influence is found to be salutary, and it is an important aid to discipline.

All persons are furnished with Bibles who desire them.

Religious tracts and newspapers are distributed occasionally, a good many being given out from time to time. Children's papers and books are also given out when young persons are confined in the jail. The juvenile members of the sheriff's family often take out books from their Sunday school library, expressly for the use of such persons.

The prisoners have three meals a day, winter and summer. For breakfast, they get meat, potatoes, bread and milk gravy; for dinner, the same, with some additional vegetable, and occasionally soup or a pudding; and for supper, bread and butter, and one kind of cake or crackers, with milk to drink whenever they want it. The only fault to be found with these rations is, that they are too good. When a prisoner is sick, Mrs. Ransom gives him just what she would one of her own children.

There is no regular physician to the jail, but one is sent for whenever his services are necessary. He is paid by the visit.

No special room is provided for the sick. With some slight, ordinary ailment, the patient is treated in his own cell; but if a prisoner is very sick, he is taken up stairs, put in a room by himself, has a good bed, with sheets, pillow case, etc., and is every way tenderly cared for.

The most common diseases are delirium tremens, colds, derangement of the bowels, etc. There was no sickness at the time of inspection (August) and had been none since winter. A good state of general health was reported throughout the year. No death has occurred within the last three years.

The drainage is good. The privy of the jail is at one end of the corridor. A stream of water is continually passing through it, and no unpleasant odor is perceptible. Night tubs are not used, except where a prisoner is confined to his cell; the doors of the cells not being ordinarily locked at night.

ell-behaved prisoners are permitted to exercise in an adjoining whenever they please.

ater is furnished to the prison from the village water works; its ity is good; and the supply is unfailing.

ere are no means for ventilating the prison generally, except gh the windows, and none for ventilating the cells but through rated doors.

e prisoners are required to wash themselves every morning, and his purpose they are provided with wash basins, soap, towels combs.

ere is no bathing tub in the jail, but the prisoners are supplied a good sized wash tub, and most of them wash the whole person ly. If any do not, and are observed to be dirty, they are red to do so.

e under clothing of the inmates is washed weekly. This is in many cases by their friends; frequently by themselves; and wise by the sheriff's family.

ooden bedsteads or bunks are used. The beds are of oat straw, ently refilled, and the pillows of hens feathers.

rmerly vermin abounded, but there are said to be few at present. have been successfully fought away by corrosive sublimate, ling water, whitewash, etc.

r bed clothes, army blankets are provided for the men, and ts and pillowcases, in addition, for the women and debtors. The er are washed weekly; the latter thoroughly twice a year, and her times "when necessary."

he prison is sufficiently lighted in the day time for the prisoners ad comfortably. At night they are furnished with one candle, h they can burn as long as they choose, provided they are quiet well-behaved; otherwise it is taken from them, and they are ired to go to bed.

he male ward is heated by one coal stove, and is made comfort- in the coldest weather; the female ward by wood, a stove being ed in each room.

he only punishments used are confinement in the cells, or, in avated cases, in the dungeon. The moral means employed to re good conduct and a return to a better life are reason and per- ion. Good advice is freely given both when they come in and n they go out.

he sexes are completely separated. Beyond this there is no mpt at classification, other than putting the boys together in one n, and the debtors in another.

Franklin County Jail, at Malone.

	Men.	Women.	Total.
Whole number committed last year,	70	5	75
Greatest number at any one time,	7	1	8
Smallest number at any one time,	0	0	0
Average daily number,	4	$\frac{1}{4}$	$4\frac{1}{4}$
Number at time of inspection,	4	3	7
Number charged with felonies,	4	0	4
Number charged with minor offences,	66	5	7

The jail in this county was built in 1852. Its location is on the main street, adjacent to the court house. The material is stone, with stone partitions and a slate roof. It is 36 by 24 feet. The residence of the sheriff is in front, and of the same material and dimensions, containing six rooms. The apartments are small, and the dwelling far from commodious.

There are six cells, the dimensions of which are as follows: Length, 8 feet; breadth, 5 feet; height, 7 feet. Contents in cubic feet, 280. The female ward is over that of the men, and contains four rooms, about sixteen feet square each. The male cells are of solid hewn stone on all six sides, and are very secure. One attempt only was made to escape during the year; is was unsuccessful.

No work is given to the inmates, except cleaning and whitewashing the jail, and bringing in the wood required to keep it warm.

There is no library, but the sheriff loans his own books freely to such prisoners as desire them, and also supplies them with the local papers and one or two religious papers. As a general thing, excellent care is taken of the books loaned.

No secular instruction is imparted, and no religious services are held in the jail. There is one Bible for the use of the men and one for the use of the women; but no religious tracts are distributed, and it is seldom that any benevolent individuals, whether clergymen or laymen, visit the prisoners to converse with them, counsel them, and persuade them to an honest way of life. It is sad that, in a Christian community, so little interest is taken in these unfortunate, or, if you please, criminal men and women, and so little effort put forth to reclaim them.

Three meals a day are furnished to the prisoners throughout the year. Breakfast consists of meat, potatoes, bread and butter; dinner, much the same, though frequently soup, baked beans, or other vegetables are added; supper, bread and butter, with milk if desired, and occasionally cake. The food of the prisoners is taken from the sheriff's own table.

The physician visits the jail only when he is sent for. His salary is seven dollars a year! With the exception of two cases of venereal, he had been sent for but twice in a year and a half. The health



ıe inmates was good at the time of inspection, and had been ng the whole year. There cannot be said to be any prevailing ıses, nor is there any special room provided for the sick.

he prisoners are occasionally, but not regularly, taken into the for exercise.

he drainage and sewerage are reported as good.

he privy is in a corner of the corridor, with a partition screening om view. It was out of repair at the time of my visit, the spring g broken, but another had been sent for and was daily expected. fæces are conveyed away by a stream of water let in, so that e is nothing disagreeable or unhealthy about it. Night tubs are ordinarily used, as it is not common to lock the cells at night. ; is done only when prisoners are refractory, or there is an appre- sion that they will attempt to escape.

he water for the jail is supplied from the village waterworks. ; of good quality and unlimited in amount. The prisoners draw ı a hydrant all they want. The conveniences provided as a .ns of personal cleanliness, besides an unlimited supply of water, washbasins, soap, towels and combs. All wash from choice every ning, and if this were not so it would be exacted of them. re are buckets in which they can, if they desire, wash the whole ion, but, as a matter of fact, few do it.

here are no means of ventilating the building except the win- s, and none for ventilating the cells except the grated doors.

he underclothing of the prisoners is washed weekly.

on bedsteads and straw beds and pillows are supplied to the ı, and wooden bedsteads, straw beds and feather pillows to the nen. Few vermin are found in the jail.

he bedclothes furnished to the male prisoners are blankets and fortables, in addition to which the female prisoners have sheets pillow-cases. Both blankets and sheets were reported as washed kly.

he jail is sufficiently lighted during the day for the inmates to l with ease. In the winter, light for reading is furnished till 9 ock at night; in the summer it is not ordinarily provided at all. oughout the year prisoners are required to be quiet after 9 o'clock. he male ward is heated by one large wood stove; in the female d each room is provided with a stove.

ocking in cell and handcuffs are the punishments employed for a ach of rules; but these are not often necessary, good advice and ral suasion being generally found sufficient. The sheriff (as he orts) aims to treat his prisoners like children, often talking with l counseling them in reference to their conduct.

The sexes are pretty effectually separated; but no other classification of the prisoners is attempted, even the boys being placed in the same ward with the men.

Of the seven persons in jail at the time of inspection, the following are the relations as respects race, color, age, nativity, etc.

	Men.	Women.	Total.
Under twenty,	0	2	2
Between twenty and thirty,	1	1	2
Between thirty and forty,	2	0	2
Between forty and fifty,	0	0	0
Between fifty and sixty,	0	0	0
Over sixty,	1	0	1
White,	4	3	7
Colored,	0	0	0
Native,	2	3	5
Foreign,	2	0	2
Married,	2	0	2
Unmarried,	2	3	5
Lost one or both parents before fifteen,	1	2	3
Protestant,	2	1	3
Catholic,	2	2	4
Had learned a trade,	2	1	3
Had not learned a trade,	2	2	4
Intemperate,	4	2	6
Temperate,	0	1	1
Could not read,	0	1	1
Could read only,	0	1	1
Could read and write,	4	2	6
Had superior education,	0	0	0
Served in late war,	1	0	1
Did not serve in late war,	3	3	6

St. Lawrence County Jail, at Canton.

	Men.	Women.	Total.
Whole number committed last year,	95	25	120
Greatest number at any one time,	20	8	28
Smallest number at any one time,	2	2	4
Average daily number,	9	4	13
Number at date of inspection,	2	2	4
Number charged with felonies,	41	0	41
Number charged with minor offences,	54	15	79

No work is provided for prisoners in the jail; but all who are sentenced for 60 days or over are sent to the Onondaga county penitentiary and put at hard labor.

There is no library attached to the jail, but the turnkey, Mr. Whitney, furnishes what he can, and friends bring in a good many.

No secular instruction is given, nor is there any stated weekly religious service. Benevolent persons occasionally visit and converse with the prisoners, but this is not often done.

A Bible is provided for each of the four halls. Religious tracts and papers are seldom distributed.

Three meals are furnished to the prisoners in summer, and two in winter. For breakfast, meat, potatoes, bread and gravy are provided; for dinner the same, with occasionally an additional vegetable; and for supper, mush with the option of milk or molasses.

The physician visits the jail only when sent for, and his services paid for by the visit. There is no special room for the sick, but a bad case the patient would be taken to one of the rooms in the er ward. The diseases which most prevail are colds and rhœas. There was no sickness at the time of my visit. The lth of the prisoners is generally good. No death occurred during past year.

he prisoners are let into the prison yard twice a day for exercise, aining each time fifteen to twenty minutes.

he jail has no drainage; all slops have to be carried out in kets. The privy is in the prison yard. It has eight compartts. Ordinary chamber vessels are used in the cells at night.

Vater for drinking is supplied from a well; for washing, from a ern. The supply, as a matter of course, is limited, as that which sed in washing has to be carried out as well as brought in.

he windows are the only means for ventilating the building genly, and the cells have no ventilation, except through the iron tings of the doors.

All necessary means for washing, as sink, basins, soap, towels, etc., provided; and the prisoners are required to wash every morning. ere is no means of washing the whole person, except in pails.

The prisoners' underclothing and what outside clothes require it washed weekly.

Wooden bedsteads and straw beds, filled usually once a month, are vided. Somewhat troubled with vermin, though not much. rosene oil has been found effective in exterminating them.

For bedclothes, army blankets are furnished, with sheets and pilcases for the women and debtors. The sheets are washed weekly; blankets are thoroughly cleansed once a year with salt water, l are washed, whenever they are found to need it.

The prisoners are always locked in their cells at 8 P. M., and let t in the morning at six.

Three of the corridors are well lighted during the day — one rather nly, owing to a projection over the windows, placed there for preating prisoners in the upper story from passing things down to se below. At night the prison is lighted with kerosene lamps l eight; in summer not at all.

The lower story of the prison is heated by a furnace; the upper ry by stoves.

The principal punishment for a breach of prison regulations is conement in the cell, but shackles are occasionally added. Motives a better life are supplied in good advice and moral exhortaons.

The sexes are entirely separated from each other, but no other classification is attempted.

The jail was erected in 1858. The material is stone; the roof shingles. The lower cell block is constructed of stone. The floors and ceilings of the cells are of flag stones, and the walls of solid blocks of stone. The wall and partitions of the upper cells are of brick.

The entire building, including the residence of the sheriff (at present occupied by the turnkey), is 72 by 42 feet. The jail part, in the rear, is 48 by 42.

There are eighteen cells in the lower (male) ward, two of which are not used, and eight cells and four rooms in the upper (female) ward. The dimensions of the cells are: Length, 8 feet; breadth, 4½ feet; height, 7½ feet; contents in cubic feet, 268.

Since the recent provision of four very strong doors, this prison may be pronounced secure. One escape, however, was effected during the year, from the exercise yard, by climbing over the fence where it joins the building. The prisoner must have been a man of great agility, as it seemed to me, on examining the spot, impossible for any human being to achieve an escape in the way described. Four others evidently *intended* an attempt to escape from the tools found upon them, which had, quite as evidently, been supplied in some way by confederates outside.

As already stated, there were four persons in jail at the date of my visit. Their social, educational, moral and other relations, as ascertained from personal conversation with each, were as follows:

	Men.	Women.	Total.
Under twenty,	0	1	1
Between twenty and thirty,	1	1	2
Between fifty and sixty,	1	0	1
White,	2	2	4
Native,	1	2	3
Foreign,	1	0	1
Married,	1	1	2
Unmarried,	1	1	2
Protestant,	1	2	3
Catholic,	1	0	1
Had not learned a trade,	2	2	4
Intemperate,	2	0	2
Temperate,	0	2	2
Could not read,	1	0	1
Could read and write,	1	2	3
Had superior education,	1	0	1
Served in late war,	1	0	1
Did not serve in war,	1	2	3

It will be observed that one of the male prisoners is reported as possessing a superior education. The case of this man is as sad as it is instructive. He is a lawyer of ability, and had once held the responsible position of district attorney in the great county of St. Law-

ce; but having fallen a victim to intemperance and squandered property, he committed burglary and larceny to obtain the means gratify his insatiate appetite for drink, was tried and convicted, is now under sentence of imprisonment for three years in the e prison. What a warning to all young men! How loudly it say to them, "Touch not, taste not the intoxicating cup?"

Jefferson County Jail, at Watertown.

	Men.	Women.	Total.
le number committed last year	215	25	240
test number at any one time	26	9	35
lest number at any one time	5	0	5
age daily number	13	2	15
ber at date of inspection	14	1	15
mitted on a charge of felony	26	1	27
mitted for minor offences	189	24	213

heriff Johnson, at the time of my visit, had been in office one and a half. A number of improvements have been made since jail was last inspected by the Association.

he sheriff's residence is in the rear part of the jail, and hereto- has been of very contracted dimensions. An addition has been le to it, 18 feet by 36, two and a half stories high, containing t rooms, so that the sheriff's family are now well accommodated. his improvement has afforded opportunity to make another, ch was much needed. One of the apartments formerly belong- to the sheriff's residence has been converted into a ward for s, who, when now imprisoned here, are separated from the con- inating society of old offenders.

he women's ward, which was heretofore one large room, has been verted into two, thus giving some opportunity, though slight, for sification. This part of the prison has been further improved by ing new floors, a new ceiling, a hydrant, sink, dark cell and er-closet.

he security of the male ward has been greatly increased in vari- ways. A new floor of thick plank has been laid, beneath which two feet of rubble stones and gravel, cemented with coal tar. whole interior — walls and ceiling — is double-lined with hem- plank, fastened together by 600 pounds of nails or spikes, en in very close to each other. There is a thickness of four es of hemlock, over which there is one inch of match ceiling, ted and sanded. New gratings have been placed on the inside he windows, and a new water-closet made for the male as for the ale ward.

furnace has been placed in the prison, and a new drain con- cted, with outlet on the hill side, so that the sewerage is now good.

A new barn has been built, thirty-two feet square, and a wood-house twelve feet wide by forty-seven feet in length.

All the above mentioned improvements have been made at an expense of $4,500, over and above the value of the work done by the prisoners.

No regular employment is provided for prisoners confined here, but important aid was rendered and considerable expense saved to the county, by utilizing their labor in the construction of the several improvements named above.

There is no library in the jail, no reading matter provided for the inmates, and no secular instruction given to them.

As regards religious instruction, the case is equally bad. No religious services are held in the prison; no religious tracts or newspapers are distributed; no benevolent persons, clerical or lay, have visited the jail during the past year, to converse and pray with the prisoners, and, by counsel and persuasion, lead them to a better life. The law requires that each cell be provided with a Bible; I found only four Bibles in the male ward and one in the female ward.

The dietary consists of two meals in winter and three in summer. *Breakfast* — meat, potatoes, bread and gravy, with water to drink. *Dinner* — much the same, with soup occasionally. *Supper* — bread and milk in summer.

The jail has a regular physician, who visits it, however, only when sent for, and is paid for each visit made. His compensation last year was but $30.

There is no special room provided for the sick. Indeed, there is very little sickness of any kind. No death occurred during the year.

The only opportunity the prisoners have for exercise is, being let into the prison yard once a day for ten to fifteen minutes.

There is a good water-closet in the corridor of the male and another in the female ward, with an ample supply of water for carrying off the fæces. Buckets are used in the cells at night, and cleansed daily.

There is an unlimited supply of good, soft water from the city water works, with hydrants in each ward.

The windows are the only means for ventilating the building generally, and there is no ventilation whatever for the cells.

The prisoners are required to wash hands and face every morning, and the conveniences provided for this are sink, wash basin, soap and towels; but there are no means for washing the whole person.

The prisoners' under clothing is washed weekly.

No bedsteads whatever are provided, but the prisoners sleep on straw beds, laid directly on the cold, damp flagging, which forms the floors of the cells. This is nothing short of inhuman, and is a disgrace to the rich and populous county of Jefferson. Iron bedsteads should be immediately provided.

Vermin are abundant here.

The bed clothes are army blankets, which are washed once a month — sometimes oftener.

The prisoners are locked in their cells at dark and let out at daylight.

There is sufficient light in the day time, but none is furnished at night by the county. The prisoners are allowed to have lights in their cells, if they furnish them at their own expense.

The male ward is heated by a furnace, the female by a wood stove.

The sexes are completely separated.

The jail proper is 36 feet by 48, built of stone — a portion of it forty years and another portion twenty-five years ago.

There are sixteen cells in the male ward, each eight feet long, six wide, and seven high.

No escapes were effected during the past year.

There were fifteen prisoners at the date of inspection, fourteen males and one female.

Under 20 years of age,	5
White,	15
Natives,	9
Foreign born,	6
Married,	9
Unmarried,	6
Lost one or both parents before 15,	10
Protestant,	6
Catholic,	9
Had learned a trade,	6
Had not learned a trade,	9
Intemperate,	10
Claimed to be temperate,	5
Could not read,	4
Could read only,	1
Could read and write,	10
Had served in late war,	4

6. *Albany County Jails.*

a. City Jail.

The number of prisoners at the time of inspection, was 43; greatest number at any one time during the year, 73; smallest number, 35; average daily number, 50. The proportion between the sexes was stated to be, generally, about three men to one woman.

The jail at Albany is almost exclusively a place of detention for prisoners awaiting trial. As the county has a penitentiary where

hard labor is exacted, the convicted, even when their terms of sentence are but ten days, are, with few exceptions, imprisoned there.

There is no library in the jail, and no opportunity for mental improvement; nor do the prisoners have any occupation other than the slight offices of cleaning and whitewashing the cells and corridors, and doing other little jobs about the prison.

The Rev. David Dyer officiates as chaplain. He is always welcomed by the prisoners, and heard with respect and attention. He is of the opinion that, whatever the spiritual results may or may not have been, salutary moral impressions have been made in many cases, which may restrain their subjects from the further commission of crime. Liberated prisoners often express to him their gratitude for his sympathy and his counsels during their incarceration. Sheriff Parr bore emphatic testimony to the usefulness of Mr. D.'s labors, and declared them to be an essential aid in the management of the prisoners. Religious tracts and papers are liberally distributed to the inmates.

The supply of Bibles does not come up to the legal standard.

The prisoners are furnished with two meals daily. The breakfast consists of bread and coffee, and is served at 7 A. M. The dinner is given out between 12 and 1 P. M., and consists of fresh beef and soup every day, with bread *ad libitum*. The bread is obtained from a baker, and is such as he serves to his city customers. It is of a good quality, and so is the beef furnished, as I satisfied myself from a personal inspection on a visit to the kitchen.

The physician visits the jail regularly several times a week, and at other times on call. There was no sickness on the date of inspection, and no death has occurred during the year.

The supply of water from the city water works is abundant. The pipe through which the contents of the night tubs are conveyed, is washed by a stream of water, which runs night and day. There are large square basins under the cocks attached to the hydrant pipes for washing, and a hose for cleansing the floors. The jail is kept well scrubbed and whitewashed, but, from lack of ventilation and the large average of prisoners, the odor is far from agreeable.

The prison is well lighted in the daytime, and at night a gaslight is kept burning at each end of the hall.

The sexes are entirely separated, but the promiscuous association of prisoners of the same sex exists here, with all its attendant evils.

The jail building remains as described in our nineteenth and twentieth reports. It is quite inadequate to the needs of the county, and every way unsuited to its purposes. One of the reports named

ve closed with the following words, which are as true now as
en originally written: "The Albany jail should be razed to the
und. A new building should be erected combining space, secur-
proper ventilation, abundant provision for the separation of the
oners, special accommodation for children, witnesses, and the
ne, a hospital, and suitable arrangements for preaching the
el. And with a new building, a new system of government and
pline should be established."

he insecurity of this jail was conspicuously illustrated during the
ress of my inspection. On Sunday, the 14th June, an attempt on a
scale was made to break jail, which came near being successful.
jailer had been suspicious for some days that such an attempt
meditated. Consequently, he had been for the week preceding
nally watchful, and to his vigilance it was due that the attempt
ed a failure. Sunday afternoon, while alone in the office, he
me suspicious that all was not right, and passed around outside
ne building several times, but nothing was visible to indicate
was going on. Still he was not satisfied, and requested a Mr.
is, living in Pine street, in the rear of the jail, to watch that
of the building. About 4 o'clock, Mr. Harris sent word that
prisoners were attempting to escape. The jailer immediately
eeded to the house of Mr. Harris, where he saw them removing
bricks and making a breach in the wall. He fired upon them
his revolver, when they immediately desisted. Information
sent to the police headquarters, and several officers proceeded to
jail. It was found, on examination, that the prisoners had bro-
into an unoccupied cell on the third tier, in the rear, and made
le two feet in diameter nearly through the wall, leaving merely
outside bricks. Two or three of the latter had also been taken
and in a very few minutes the aperture would have been large
gh for escape. A rope had been made out of a blanket, by which
prisoners intended to lower themselves to the roof of a shed,
which they could easily reach Pine street. It is believed that
t if not all of the prisoners were concerned in the plot.

b. West Troy Jail, Albany County.

here is a jail at West Troy, a borough in the township of Water-
t, created by special statute some ten or twelve years ago. It is
e independent of the county jail in the city of Albany, the
er being chosen by the authorities of the borough, and the sheriff
ng no jurisdiction over it.

here were no prisoners at the time of inspection, the jail having
empty for eight days. The average daily number is some four

or five. The whole number who had been confined in this prison during the year was 241 — most of them for minor offences; very few felonies.

The jail is a brick structure, erected in 1860, one story high, and 24 feet in width by 96 feet in length. There is an office and a sleeping room for the turnkey in the front part of the building, and a large room in the rear for wood, coal, etc., having also a pump in it, at which the prisoners perform their morning ablutions under the eye of the turnkey. They are sometimes permitted to use this room for exercise when that officer is about, but not otherwise. The centre portion of the building is used as a prison. It is divided by a wide hall, with seven cells, six feet square, on one side for men, and two rooms, fourteen feet square, on the other, for women. The cells for males are mere cribs, made of oak joists, four inches square, and separated by spaces of about the same width. The sexes are not now, as at the time of my last visit, let out into the hall together; yet it is apparent, from the structure of the cells as above described, that when the women are in the hall, intercourse between them is almost as unrestricted as it would be if there were no restraint whatever upon them.

The prisoners here are furnished with two meals a day, the first at nine, consisting of bread and molasses, with coffee; the second at two, same as the first, except that meat is supplied every other day.

The physician calls once or twice a week unbidden, and at other times when sent for. There is not much sickness except what is brought in by the prisoners when committed. Delirium tremens and wounds received in drunken brawls are the most common cases requiring medical and surgical treatment.

The jail is heated by a coal stove, which keeps it comfortable in cold weather.

Neither scrubbing nor whitewash brushes appear to be much used in the prison, which, indeed, is a wretched concern. It would be better to pull it down and send the prisoners to Albany, if there were any room for them in the jail there, which there is not, overcrowding in the said jail being already oftentimes excessive and most deleterious. Especially is this so, if what was reported by a committee of the supervisors appointed a year or two ago to investigate the matter, is true, viz., that it is no uncommon thing for police officers to get men drunk by the expenditure of a few pennies, and then arrest them and have them locked up in the calaboose for the purpose of getting the fee of two dollars therefor, authorized by law.

It is scarcely worth while to add that nothing is done here for the mental or moral improvement of the prisoners.

c. Cohoes Jail, Albany County.

There were no prisoners confined in it at the time of my visit. Mr. Shannon, the jailer, was absent; consequently I did not see him, nor did I gain admission into the jail. It remains the same, however, at least in all essential particulars, as described four years ago, in our 20th annual report. It is not a separate building, but is simply the third story of a brick edifice, in the middle of a block, on the main street of the borough of Cohoes. The first story is occupied as a store; the rooms on the second story are used for the police court and a lawyer's office; and the third story is the jail.

The whole number committed during the year was 1,136. Of these, 43 were committed for felonies, and the remaining 1,093 for minor offences. There were no less than 578, more than half, committed for intoxication. Thirteen were committed for corner lounging, an offence which I do not remember to have seen heretofore mentioned as a cause of imprisonment. E. C. WINES.

4. Jails Visited by R. L. Dugdale.

Westchester County Jail.

Of the jails visited by the undersigned, this is the best in some respects, although very defective in many others. Its advantages are, that it is built of stone, is secure, located upon a dry and healthy spot which can be easily drained, with abundance of water, which is pumped from a well inside the building, and that there are privies in each cell which dispense with the night tubs. These points are proved by inspection, and by the facts that there have been no escapes for several years, and that during the past ten months there has been neither sickness nor death in the prison.

The disadvantages are — 1st. That the jail is overcrowded, there being only 36 cells for 101 prisoners, the maximum number at one time during the year. 2d. That there is no effectual separation of the sexes, as the men who are unconfined can easily climb from tier to tier to where the women are locked up. Neither is there any classification of prisoners. The jail of this county has been presented by the grand jury in consequence of its overcrowded condition, and measures are promised that will result in the enlarging of the building in such a manner that women and children will be effectually separated from the men. 3d. The ventilation of the cells is so arranged that the inmates can stop it if so disposed, and the ventilation of the building is so imperfect that it cannot supply the deficiency caused by this stoppage. 4th. The sheriff complains that there are no adequate means of washing the whole person, as there is no bath.

Of the discipline and management, it may be said that there has been no need of punishments sufficiently severe to require mention; that the privies are cleaned every morning and frequently disinfected; that the jail is washed out once a week; that the prisoners receive three meals a day — for breakfast and supper, bread, molasses and mush, and for dinner, meat, potatoes, bread, and soup on different days, as the case may be. The prisoners are not provided with work, but have a library which they use considerably, while frequent religious services, conducted by both clergymen and laymen, are held. There were no complaints made by prisoners of either bad treatment or insufficient food.

During the ten months, from January 1st to October 30th, 1868, the following commitments are reported:

Men,	503
Women,	67
Whole number committed,	570
Greatest number at one time,	101
Number at time of inspection,	29
Alleged felonies,	104
Minor offences,	466

Putnam County Jail.

At the time of my visit there were no inmates in the jail, which is very small, containing only seven cells. These are triangular, being grouped round a centre, so that the whole of them form a heptagon. It is neither sufficiently lighted nor ventilated. The deputy sheriff, who has charge, could not furnish any statistics of commitments, owing to his not having time to prepare them from his books. He has since been written to, but has not answered.

Richmond County Jail.

In this jail the sexes are separated by means of a wooden partition which runs from floor to roof. It cannot be called an effectual separation, in view of the fact that the inmates can both see and speak through the chinks in the partition, the debasing effects of which were witnessed in the conversation which was indulged between the prisoners.

There is abundance of both well and cistern water, and a bath in both male and female wards, which afford ample opportunities for cleanliness. The prison is secure, if proper precautions are observed by the sheriff, there having been no escapes during four years. There has been one death during the year, and no other sickness.

It was impossible to judge of the cleanliness of this jail from the fact that its whole roof is in such a leaky condition that the walls

and floor were wet over their whole extent in consequence of a thaw which had set in, the constant drip leaving the atmosphere damp and chilly. The building is badly ventilated, and the ventilators in many of the cells have been stopped by the prisoners with prints, pictures and tinsel pasted upon the walls for ornamentation.

There seem to be no reformatory influences at work, or next to none. The prisoners are left in idleness and are unprovided with reading; there are no religious services whatever, and but very few visitors ever enter the confines. There are no Bibles in the cells because these are always destroyed. It would seem very desirable to induce the formation of a visiting committee, whose visits would at least secure the performance of those sanitary observances which are so essential to prison reform. Such committee might perhaps provide some kind of work for those willing to do it. This volunteer occupation would often prove beneficial, its tendency being to make the inmates useful, which is one important step toward making them moral.

During the eleven months from January 1 to December 1, 1868, the following commitments are reported:

	Men.	Women.	Total.
Whole number committed,	189	48	237
Greatest number at one time,	...	..	37
Number at time of inspection,	18	3	21
Committed for alleged felonies,	...	..	36
Commited for minor offences,	...	..	201

Respectfully submitted,

R. L. DUGDALE.

5. Jails Visited by Stephen Cutter.

I visited and inspected in October, 1868, the jails in the counties of Cortland, Chenango, Oneida, Herkimer, Montgomery, Fulton and Schenectady.

Cortland County Jail, at Cortland.

At the date of inspection there were four white men and one colored; all had been soldiers during the late war.

The construction and arrangement of this jail have been described in former reports. It was built about 8 years ago. The ventilation, the main point of improvement, was so constructed in the roof that several prisoners have escaped thereby. This has led to closing the ventilators in the roof, which effectually thwarts their intent. No employment for prisoners, no library and no reading matter, except such as the jailer furnishes. There are no visits made by clergymen or laymen for religious instruction. Prisoners were satisfied with their food. A regular physician is engaged and visits the jail occa-



sionally. No one was sick at the time of my visit, and there has been little sickness. No deaths during the year. Water is brought in from outside in pails. Soap and towels are provided for washing in the morning, but no means of bathing the whole person. Prison heated by coal stoves. No classification of prisoners.

Chenango County Jail, at Norwich.

I inspected this jail in 1864, the result of which is given in the nineteenth annual report, and it is the same now as then. At the date of inspection, there were five male prisoners. The greatest number at any one time this year was eight, and the smallest, one. This is the first year of Sheriff Mathewson's administration. The book of records kept in the jail is the property of the sheriff, and was carried off by his predecessor. There is no library or other moral and religious appliances. The sheriff and his wife appeared disposed to give every attention to the comfort of the prisoners, to their proper discipline and moral improvement, yet with the best efforts on their part little will be accomplished for want of the above appliances and the help of Christian men. A Baptist minister comes in occasionally on Sabbath evening, and talks and prays with the prisoners. There is no Bible in the cells, or religious reading of any kind, except what is supplied by the sheriff. Iron bedsteads and straw beds and pillows are provided. The sheets and quilts are washed frequently, which is better than the average of prisons show.

Water from a well outside is brought in for washing. Soap and towels are furnished. There are no baths. This jail is not secure, but there has been no escape this year.

Oneida County Jail, at Utica.

This jail was built in 1852. Its ventilation is bad, and its water-closets worse. It is over a mile from the court house, which is very inconvenient. The supervisors owe it to themselves and the people they represent to build a new jail commensurate with the wants of the county.

The condition of the jail, aside from its very defective arrangements, there being neither drainage nor ventilation, is creditable to the keeper, Samuel J. Cole, who seemed to be "the right man in the right place." When he was installed as keeper, there was nothing in the cells for prisoners to lie on but the floor. Mr. Cole has supplied them with wooden bunks, straw beds and blankets; but it is impossible to keep vermin out.

The health of the prisoners was reported good. A physician is engaged and paid a salary. Individuals bring reading matter occa

sionally to the prison, but do not speak to the prisoners or enter the cells. There have been no escapes.

Whole number of prisoners committed from Jan. 1, to Nov. 1,	321
Greatest number of prisoners committed at any one time, July 5, 1868,	34
Smallest number of prisoners committed at any one time, Jan. 1,	4
Daily average,	14
Committed for felonies,	38
Committed for minor offences,	286
Number remaining in jail November 1, 1868,	11

Herkimer County Jail, at Herkimer.

I visited the jail of Herkimer county, October 23. At the time of my visit there were three prisoners. Court had just been held, hence the jail was nearly empty.

This jail was erected nearly forty years ago, with stone walls and shingle roof, and like all others of its day badly arranged for its purposes. The jail is considered secure, but four prisoners escaped at one time, two of whom were retaken.

Occasionally a minister or layman visits the jail for religious conversation. There is no reading matter except what the sheriff furnishes. The cells are provided with a Bible according to law.

Sheriff J. H. Wetherwax appears to be a good disciplinarian. Treating his prisoners kindly but with firmness, he has no difficulty in keeping order. He gives them three meals a day in summer and two in winter, similar to what he provides for himself and family.

The prison is heated by a furnace and kept clean by prisoners, but the air is bad for want of proper ventilation.

A physician is employed at a salary, but comes only when sent for. No room is appropriated for the sick; few of our jails have any. No deaths have occurred this year, and very little sickness; the prevailing diseases are colds. Some of the prisoners have exercise in the jail yard. Night tubs are used and cleansed every day.

Good water supplied from a well outside and prisoners required to wash every morning. Soap, towels and combs are provided for them; and their under clothes are washed every two or three weeks. Prisoners sleep on iron frames, with straw beds and army blankets. No classification of prisoners other than that of the sexes. These are effectually separated.

Montgomery County Jail, at Fonda.

The jail is an old stone building with shingle roof, in the rear of the court house. I refer to previous reports for a description of the building and arrangements, which are about the same now as heretofore. Many jails require the constant vigilance of the jailer to keep the prisoners from escaping, and this is one of that class.

Sheriff D. B. Hegemen, who took charge with the commencement of this year, keeps the prison in good condition.

There is no Bible in the cells, but one is kept in the hall. The prison is visited weekly by the Rev. Mr. Frothingham, a Presbyterian clergyman, for religious instruction, who also distributes tracts and religious papers to the inmates. The prisoners are not allowed lights at night, even if they pay for them, as it is considered unsafe. Coal stoves keep them comfortable in winter.

The sexes are not effectually separated; and as to classification, there is none, except that debtor prisoners are kept from the criminals.

The prisoners are well attended to in regard to cleanliness, food, etc. A physician is employed on a salary, and sent for when needed. Health of prisoners good; no deaths during the year. At the time of visitation, there were eight prisoners confined; seven men and one woman. The largest number twenty-seven — smallest number three. There was one escape last summer.

Fulton County Jail, at Johnstown.

This is the oldest jail in the State, erected four years before the revolution. It stands on high ground, a quarter of a mile from the court house. The prisoners are over the rooms occupied by the sheriff and his family. The jail is exceedingly inconvenient and badly ventilated. There are no privies in the building; night tubs only are used, and are brought down stairs every day, some times by prisoners, but not always. It is well lighted. Eight cells, kept quite clean for such an ill arranged affair.

At the time of visitation, October 24th, there were four male prisoners confined. In the last three years, nine men and one woman have been sent from here to the State prison. This jail, though in a flourishing village, is seldom visited for religious purposes. Tracts and newspapers are distributed by the sheriff. A physician is engaged to attend when called upon, and paid by the visit. Of course, a jail constructed like this provides no opportunity for its inmates to exercise in the open air. Prisoners are provided with the means to keep clean, and are required to do so. I was also informed their underclothing is washed once a week regularly. Iron bedsteads, with straw beds and pillows, and blankets, and washed when required. Heated by wood and coal, which has to be carried up to them. No trouble to secure discipline. The building has stone walls, with shingle roof. The eight cells have oak timber partitions, with boiler iron over them, and are lathed and plastered. The judge, the grand jurors, and the supervisors have all visited it.

Schenectady County Jail, at Schenectady.

This jail is in the rear of the court house, on Union street. The under sheriff, Mr. Jacob Bullock, takes charge of the prison, and it is as well kept as it can be, considering its faulty arrangements. The building is fully described in our 19th annual report. It is quite unfit for its purposes, and should be pulled down and a new one erected in its place.

At the time of my visit, five white men and one colored woman were confined. There is a Bible in each cell. I was informed that the Rev. Dr. Backus comes occasionally, brings tracts and papers, and talks with the prisoners.

The prisoners are provided with three meals a day in summer, and two in winter. Coffee twice a day.

There is a regular physician who comes when sent for, and has a salary. There was no sickness at date of inspection, and no deaths during the year. No exercise for prisoners. They are required to wash themselves in the morning, and have soap and towels provided, but no convenience for washing the whole person.

The underclothes are washed every week. Lights are allowed prisoners if they pay for them. Kind treatment almost universally secures good conduct, and punishment is seldom resorted to.

There is no classification of prisoners, and cannot be in this prison. Vermin abound despite of all the whitewashing. No prisoners have escaped this year, but five escaped last year, at one time.

STEPHEN CUTTER.

6. JAILS VISITED BY THE GENERAL AGENT.

The undersigned visited and examined the jails in the counties of Livingston, Niagara, Orleans, Queens, Steuben, Wayne, Suffolk, Wyoming and Genesee.*

Livingston County Jail, at Genesee.

This jail is pleasantly situated on elevated ground, in one of the most salubrious portions of the State.

The prison structure is of wood. It was built some forty-six years ago, and at the present time is much the worse for wear, being in a rather dilapidated condition. Many attempts have been made by

*These inspections were made in 1867. The report of them was sent at the proper time from New York to Albany by express, but was detained in the express office until after the twenty-third report had been issued. As these jails were not inspected in 1868, it was judged best to insert Mr. Beal's account of them in the twenty-fourth report.—COR. SEC.

the prisoners to escape, the constant vigilance of the sheriff and his turnkey alone preventing them.

The average number of inmates is from eight to ten; at the time of inspection, there were seven.

The prisoners have two meals daily, which include bread, meat and potatoes. In addition, the inmates often have vegetables, pickles, butter and eggs, and with the afternoon meal an abundant supply of fresh milk, two milch cows being kept by the sheriff. Neither tea nor coffee is provided. The prisoners sleep on straw beds, provided with pillows, and in winter a sufficient supply of blankets to secure warmth. The county supplies clothing and shoes to the prisoners, when really needed. Washing and mending, also, when necessary, are done at the expense of the county. When sick, the inmates are attended by a physician engaged by the board of supervisors, who furnishes his own medicines.

There is no chaplain, and the visits of clergymen or Christian friends are rare. A library of good and useful books is much needed here. There were, some time since, a few interesting books, but they are now so torn and defaced as to be of no further use. Your committee is not without hope that, through the instrumentality of the local committee of the Prison Association (the three resident clergymen of the neighborhood), a contribution of interesting books may be secured as a permanent prison library. He also hopes that through their systematic visitation of the jail in the future much good may result to the inmates.

A better jail building is much needed here. The present structure is a crying disgrace to the board of supervisors, and is very humiliating to this populous and wealthy township.

Niagara County Jail, at Lockport.

I made two inspections of this prison within a month or two of each other. The building is of stone and contains fifty-two cells, in addition to larger rooms for the women. The average number of prisoners is about fifteen, most of them being under twenty years of age. At the time of my first visit I found eighteen, seventeen were males and one female. Some of these had been anxiously awaiting trial for periods averaging from one to fourteen months. In some of these cases postponement had been asked by the defence; in others, an important witness could not be found, and the prosecution asked for more time. Such delays should be studiously avoided, as they are often pregnant with hurtful consequences, in some cases to the accused, in others to the interests of justice, as the guilty by this means go unpunished.

Two meals a day are furnished. The prisoners sleep on straw beds, which are changed when necessary, probably every two or three months. Clothing is provided for the inmates, when necessary, at the expense of the Board of Supervisors.

Should any of the prisoners require medical aid, they are attended by a physician, whose services are paid for by the Board of Supervisors. The general health has been good during the year. No deaths have occurred.

There is no library; not a book is provided for the use of the inmates. There is no chaplain engaged, but a retired minister and his good wife visit the prison every Sabbath, and labor with earnest and affectionate zeal to turn the hearts of the disobedient to the wisdom of the just.

On my second visit to Lockport there was not a prisoner in the jail. The court had held a session there recently, and all the inmates had been disposed of; the guilty being consigned to the State prison, and the innocent discharged.

Orleans County Jail, at Albion.

This prison is situated in a very delightful spot in the town of Albion. The structure is of stone, surrounded by a high stone wall. It contains sixteen cells. There is but little light and no ventilation, having been built probably about thirty years since, when the primary object of prison architecture was to make jails as dark and comfortless as possible, in order to deter those who might be disposed to transgress the laws from coming within their walls.

I was glad to find but one prisoner confined here. The average number is six or eight. The number of inmates is commonly larger in winter than in summer. Those sentenced in winter are usually on short commitments for drunkenness and disorderly conduct.

The board of supervisors engage a physician at a salary of $35 per annum.

There is no prison library. The sheriff, who with his family resides in the front part of the building, occasionally loans books to the prisoners from his own shelves. The daily papers are also sent in for their perusal after they have been read by the family.

No regular visits are made by either the clergy or laymen. I was pained to learn that no religious services are ever held, and no concern manifested for the restoration of these erring ones. Let us hope that in the future at least *one* earnest soul may be found who will be willing to devote a small portion of his time to this great object.

The prison is in decent order, and I should judge from all I could learn, that the sheriff and his family treat the prisoners with humane consideration.

Queens County Jail, at Hempstead Plains.

This jail is in the country, a short distance from Hempstead village, L. I., and has a healthy site. It was built in 1778. It is a wooden structure, strong and substantial. It contains three wards. The female ward has three cells, one larger than the others. The smaller cells are occupied by the colored females. The second ward is for colored males and contains two large cells, the one ten feet and the other twelve feet square. The third ward is for white males and has two tiers of four cells each. The sheriff spends much time and labor in keeping the jail in order; though this must be attended with difficulty, as the majority of the persons sent here are victims of maddening poisonous strong drink, and are not cleanly in their habits. The average number of inmates is about thirty-five. They are unemployed, with the exception of those who do the washing, cleaning, scrubbing, etc., of the institution. The jail is usually cleaned on Fridays. The prisoners sleep on straw beds. There are no sheets or towels. Blankets are used, which, I was told, are washed "as often as necessary."

The prisoners have two meals a day. The dietary includes pork (fresh meat once a week), potatoes, bread, coffee, turnips, cabbages, etc. There is no salaried physician. Medical aid is supplied to inmates when sick, and the services of the attending physician paid for by the visit. The general health of the inmates is good. No deaths have occurred during the year.

There is not only no library connected with the jail, but there is not a book provided for their use; and although we are told that "the poor have the Gospel preached unto them," this saying is not applicable to Queens county jail. It is true that religious services are held on the Sabbath in the court-house, under the same roof as the jail. Here they sing, read, pray and have the Scriptures preached unto them, in close proximity to the prison, but not to its inmates. To your committee this appeared passing strange, out of harmony with the Gospel dispensation and at direct variance with its benevolent design. The Saviour "came to seek and to save that which was lost;" "not to call the righteous, but sinners to repentance." The purpose of God is to save men *from the least unto the greatest.* This plan is not to be reversed. If the Gospel of Christ is able to make men wise unto salvation, to reform the habits, to improve the life, to illumine the mind, to change the heart and save the soul of even the most fallen and depraved, then is it not inexcusably criminal to neglect and leave to perish the unfortunate erring men and women found in our county jails? I have written to the clergymen of the various denominations in North Hempstead, earnestly calling their immediate attention to the worse than heathenism found at their very doors.

et us hope that this state of things may soon be remedied, which an be effected only through the use of proper means, and by providng interesting and instructive books. Let our prisoners have more piritual light; place before them facilities for the acquisition of knowldge; treat them as men, though at the same time enforcing strict obelience to good and lawful regulations; separate them when in prison as much as possible; let good men, of strong common sense, visit hem and show them "a more excellent way;" then, under such influences as these, with the blessing of God, in whose promises we must place all trust, these poor wanderers will repent, will cease to do evil and learn to do well, and become in the end useful members of society.

Steuben County Jail, at Bath.

This jail is situated in the busy town of Bath, which has a population of about 5,000 souls. The building is of wood, and, although not twenty years old, is in an unsafe and wretched condition. It contains sixteen cells, each seven feet by three and a half or four feet. The air was fetid and offensive, there being no escape for noxious vapors. The ceilings are low, and of ventilation there is none. A more gloomy and wretched prison I have not seen in this or any other State. No member of the Board of Supervisors would heartily enjoy a residence in it of even six hours, much less for six months. It is a standing disgrace to Steuben county, and it is a difficult thing to tell what entered the mind of either the builder or the supervisors to cause them to put up such a structure. There is an upper ward which, having more light, is more tolerable. This has four larger cells or rooms which may be occupied by witnesses or females. The whole building should be razed to the ground without delay, and on its ruins should be erected a new one, that should be better adapted to the purposes for which a prison is designed.

The sheriff is a man of kindly disposition, who evidently bestows all the pains he can on its inmates. There were at the time of inspection sixteen persons in confinement. This is about the average number. Strong drink is the chief cause that sends prisoners here. An attempt was made, on the Saturday preceding my visit, to fire the jail, but, through the vigilance of the sheriff and his aids, it proved unsuccessful.

There is a physician to the jail, who finds his own medicines and receives $30 per annum.

There is no chaplain. No Christian friends ever visit them to remind them of their immortal interests. Not a book is provided for their use. Not a ray of light pierces the moral darkness that envelopes them. All days are alike to them. There is no recognition of God or of man's responsibility to him. Under such cir-



cumstances evil communications have full license to exert their baneful influence, and these unfortunates become more and more degenerate, and their reformation less and less probable. Men are often punished under a special statute for a second offence much more severely than for the first, while little or nothing is done to improve their moral nature during the term of imprisonment imposed by the court for their first offence. Consistency is a jewel, but rarely found by those who search for it in the administration of penal justice.

The accused are kept awaiting trial from one to nine months. This practice is very oppressive and unjust to those whom the petit jurors pronounce innocent.

Wayne County Jail, at Lyons.

The jail building, which is a neat and substantial stone one, was erected thirteen or fourteen years since. It has twenty-four cells in two tiers, with a hall eight feet wide. I found but eight persons confined here, one of whom was a boy from Canada, aged thirteen. The average number is about nine.

The sheriff resides on the premises. The prisoners have two meals a day. The food is clean, wholesome, and abundant in quantity. The beds are of straw, and are changed three times each year. The bedding for each consists of a pillow, blanket and sheet, which are washed as often as necessary. I was delighted to find that our corresponding member at Lyons is zealous in the performance of the Christian duty of visiting persons confined in the jail. His heart is engaged in the work. He, some time since, induced another Christian minister to accompany him in his visits, to exhort the inmates to lead a higher and a better life.

May God bless them both, and raise up more earnest, self-denying men, willing, like them, to labor for our fellow men.

Suffolk County Jail, at Riverhead.

The county jail of Suffolk is located in the peaceful and prosperous town of Riverhead, Long Island, away from the busy part of the town. It is built of brown stone, in the rear of the court-house. It is octagon in form, two stories in height, having four cells in each story, the dimensions of which vary. The building is rather handsome on the outside, but the interior is miserably constructed, having an insufficient supply of light and ventilation, as well as being restricted as to space. By night the prison is in utter darkness, except in cases where the prisoner himself provides a candle.

At the time of my visit there were eight inmates, of whom five were male and three female. Most of these had been recently committed on a charge of riot.

The sheriff resides on the premises. Prisoners have three meals daily, except on Sunday, when they have two. The food appeared to be good and wholesome. Clothing is furnished to the inmates when necessary, and washing done for them. The cost, which is but trifling, is defrayed by the board of supervisors.

A physician is provided, who finds his own medicines and attends the prisoners at a merely nominal sum. The general health of the inmates has been good. No deaths have occurred during the year.

Most of the men sentenced here are sent up for short terms, usually under three months. Those committed to await the action of the grand jury often remain in suspense for from one to four months.

There is no employment for the inmates, except performing the necessary work of the prison.

No reading matter is provided for the prisoners. The only books to which they have access are those occasionally loaned them by the sheriff.

I was glad to witness some of the beneficial results of the temperance movement in this county. Abstinence from intoxicating drinks is a powerful agency in the diminution of vice and crime. Would that its success might be universal.

Wyoming County Jail, at Warsaw.

This jail was built at a time when little regard was paid to ventilation, comfort or convenience. It is of solid oak, and lined throughout with heavy plank. It does not present the appearance of having been built by a cunning political contractor. I should rather judge it to be the work of an honest mechanic, who had an eye only to its durability and safety. The doors are of heavy oak, fully ten inches thick. It would be very difficult for a prisoner ever so well disposed, to work his way out.

At the time of my visit, there were but four inmates, all males. The average number is eight or ten.

The sheriff resides on the premises. He is a gentleman of high moral and Christian character. The prisoners have three meals a day. Their food is the same as that of his own table. The health of the inmates is generally good. No death has occurred during the year.

Bibles are provided for the use of the inmates, but no other books. There is no chaplain, and visits from the clergy or Christian laymen are very rare. I took the liberty to call on the ministers who resided in the immediate neighborhood of the jail, and urge upon them the importance of attending to this duty. They expressed a willingness to comply with the request. It is to be hoped they will make it effective.

In April last a revolt occurred here. The sheriff had entered the
il one evening, as was his custom, to lock the prisoners in their
lls for the night, when he was suddenly attacked by two or more
the prisoners who had been convicted and sentenced to State
ison, and were awaiting their removal thither. The sheriff strove
prevent their escape, but, after a fierce contest, his arm was
roken, and he was otherwise disabled. Four prisoners escaped,
vo of whom were recaptured. The ringleader was tried for assault
nd battery with intent to kill, and, being convicted, received a
ntence of seven years to the State prison, in addition to the two
ears that he had already been condemned to pass there.

This prison is well ordered, but I cannot but wish that there were
ore moral agencies at work here. Could these be brought to bear
pon this jail, I have faith to believe that they would greatly tend to
evate even the few erring ones who may be sent to it.

Genesee County Jail, at Batavia.

This jail is in a healthful and quiet spot, a little removed from the
ise and bustle of the business portion of the town. The sheriff
as absent at the time of my visit, but his deputy, with great polite-
ss, answered all my inquiries, and showed me every thing connected
ith the jail.

There were four prisoners (males) confined at the date of inspec-
on. The average number is about six. There has been neither
kness nor death during the year. The inmates have two meals a
y. The dietary is all that could be required.

The testimony of the prisoners confirmed my previously formed
inion, that they are well treated by those in charge of the jail. I
s not a little pleased to find that sheets and pillows, with clean pil-
v-cases, are here provided, and that there is a cheerfulness to supply
m with paper, envelopes and postage stamps. I am decidedly of
opinion that the kind and genial character of the sheriff and his
uty in this jail, and their humane care of those placed under their
rge, contribute materially to elevate and reform them.

It has been said that "angels' visits are few and far between."
is proverb is equally applicable to the visits of Christian ministers
laymen to this jail. I hope, however, for the day when phil-
hropic and reflecting men will feel it to be a privilege to work
the Master in this field of labor.

The Bible is supplied to inmates by the county, but no other book.
as glad to learn that this want is met in part by the sheriff, who
ns the prisoners books from his own shelves.

ABRAHAM BEAL.

XXIII. REPORTS OF LOCAL COMMITTEES ON COUNTY JAILS.

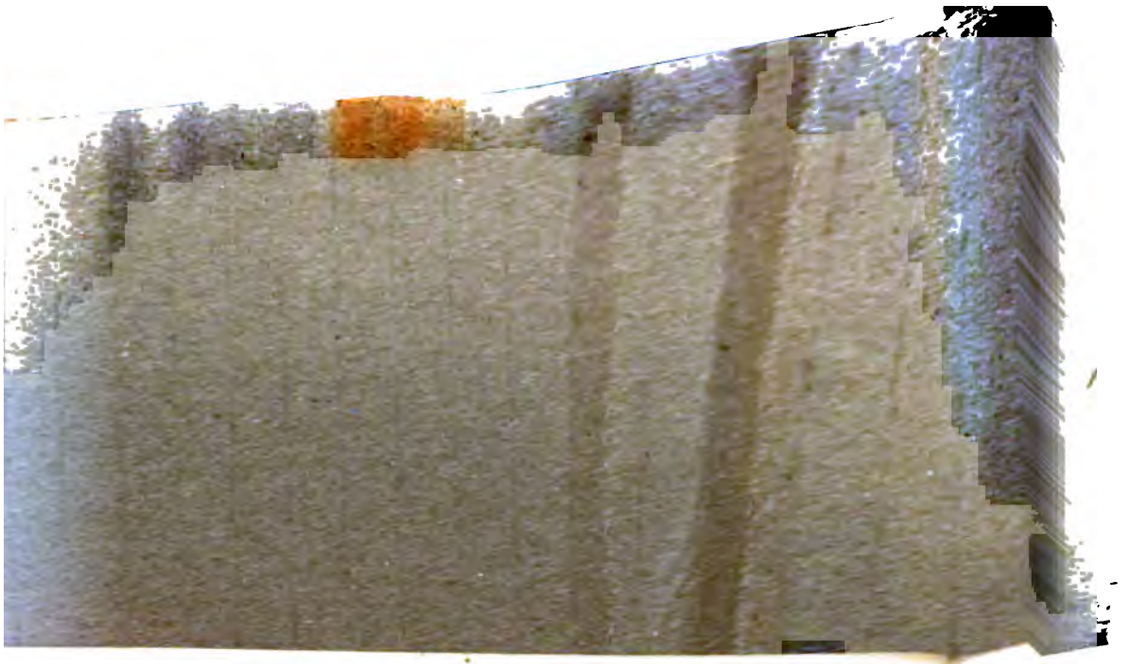
1. Report of the Committee of Erie County.

Buffalo, Jan. 15, 1869.

Rev. Dr. Wines, Corresponding Secretary:

Dear Sir — The Local Committee of the New York State Prison Association respectfully report, that during the past year your committee have prosecuted their labors in the penitentiary and jail located in this city. The latter institution has been visited each Sabbath and religious reading distributed to the inmates, which has been cheerfully and gratefully received. There is no convenient place for assembling the prisoners for public service in the jail, and therefore our labor is necessarily confined to personal conversation with the prisoners in their cells. Words of Christian counsel and direction have been addressed to them; and in all cases where special aid was needed by prisoners awaiting trial, it has been promptly rendered. We regret to report the continued existence of the dilapidated structure used as a jail; and trust that the late action of the supervisors with reference to the erection of new county buildings will enable us soon to report the destruction of the present nuisance and the erection of an edifice worthy of the city and county.

At the penitentiary each Sabbath morning, commencing at 9 o'clock, public religious services are held for one hour, consisting of singing by the prisoners, reading of the Scriptures and prayer, together with addresses or sermons by the city clergy, or, in their absence, by members of this committee. No congregation observes better order or gives stricter attention than this assembly of prisoners. The room used on the Sabbath for chapel purposes is the best the building affords, at present, for this purpose, but it is altogether too small and inconvenient, not admitting of the presence of all the inmates. The seats provided are common benches without backs, and this, taken in connection with the crowded condition of the room, detracts somewhat from the comfort of the congregation. Yet the general interest manifested in the service is exceedingly gratifying. After the public services, the prisoners have been visited and papers distributed in connection with personal conversation. The library donated last year by the citizens has been circulated through the



personal interest of one of the deputy keepers, affording a large amount of valuable and interesting reading.

The large number of young men and women committed to this prison renders it imperative on all who have the opportunity of using every possible means to save this class from a further life of vice, and to afford them material help in their honest efforts to resist temptation.

The establishment of the Home for the Friendless, by the ladies of this city, provides a temporary home for the young women leaving the prison, who desire to reform; and we take pleasure in acknowledging the great good already accomplished by this noble institution.

In the confidence that God will bless and own the labors thus put forth, we have with pleasure continued our work in these institutions the past year.

In closing our report, we would acknowledge the uniform kindness manifested toward your committee by the officers of the jail and penitentiary.

F. P. WOOD, *Chairman.*

JOHN S. FOSDICK, *Secretary.*

2. REPORT OF THE COMMITTEE OF OSWEGO COUNTY.

The Committee of the New York Prison Association for the county of Oswego, report that they made their regular visitation of the jail in the city of Oswego, during the month of September. There is no change in the aspect of the building, nor in the mode in which it is kept. The ventilation is imperfect, but some improvements contemplated in the matter of water-closets, it is thought, will modify the difficulty.

At the time of our visitation there were but ten prisoners; two of them were waiting to be removed to the State prison; two were under indictment; and the residue were detained for minor offences or upon civil process. They had all been in only for a short time. The jail is well kept, and your committee found little to comment upon.

Respectfully submitted,

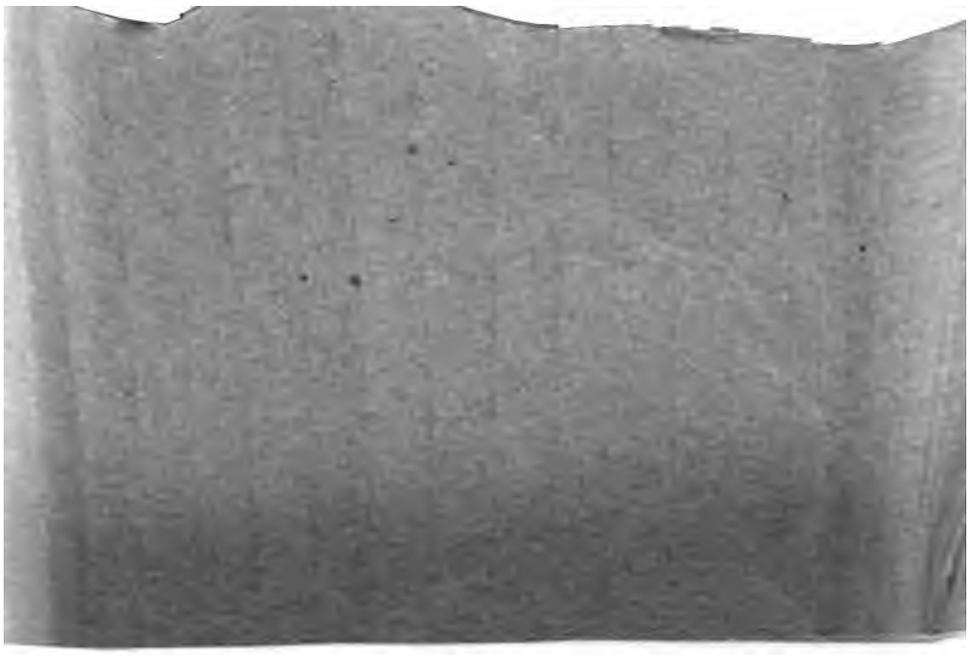
GEO. C. McWHORTER,
GILBERT MOLLISON,
A. P. GRANT.

SEPTEMBER, 1868.

3. REPORT OF THE COMMITTEE OF MONTGOMERY COUNTY.

FONDA, January 4, 1868.

DEAR SIR—My report in brief is as follows: The jail has been visited by me each Sabbath of the year, with few exceptions, and preaching has been maintained. The prisoners have welcomed me and listened attentively to my message, and I cannot but hope for



some fruits to be yet revealed. In connection with preaching, I have distributed religious papers, which have been gladly received. I am so much pleased with my work that I am well rewarded by the thanks which the unfortunate men return after every visit, and I find that they feel the loss when the services are omitted, which my absence sometimes occasions. We have had some interesting features in jail life, but I will not go into particulars. This branch of the ministry is a blessed work, and it is quite impressive as a part of my own experience that I never feel the power of the Gospel as strong in my own heart as when opening its treasures to the audiences afforded by our jail.

Respectfully yours,
WASHINGTON FROTHINGHAM.

4. REPORT OF THE COMMITTEE OF CHEMUNG COUNTY.

ELMIRA, January 13, 1869.

Dr. Wines:

DEAR SIR — The number of prisoners confined in our county jail for the year 1868, was less than in 1867. The Sabbath service has been regularly held, and with good results. The prisoners have been glad to see us, have listened with attention to the reading of the Scriptures and remarks, and apparently have participated, some of them, in prayer. We find music a great auxiliary in our work among all persons of low moral tone. Truth can be sung into sinners' hearts when it cannot be preached into them effectively. Good hearty singers, who sing with the spirit and understanding, are great helps in labor with the degraded. "Chide *mildly* the erring," etc.

Respectfully,
E. S. PALMER, *of Local Com.*

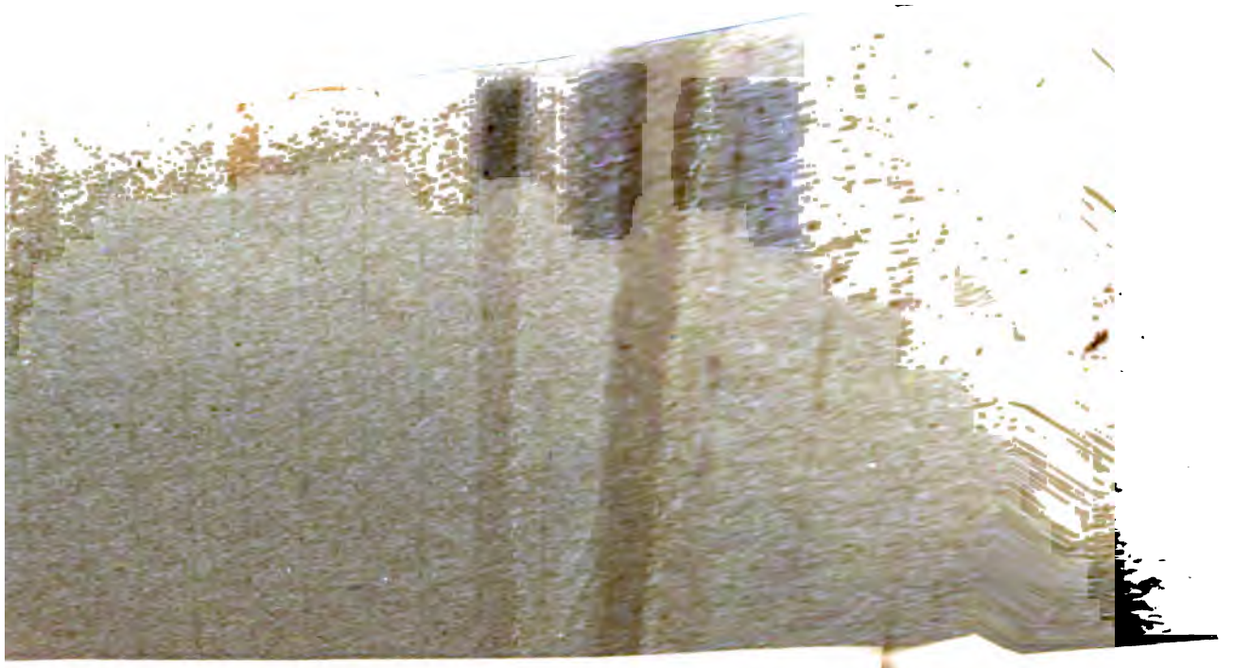
P. S. — The number in jail at our visits have been, the past year, from two to ten.

5. REPORT OF THE COMMITTEE OF WAYNE COUNTY.

LYONS, Wayne Co., N. Y., Jan. 9, 1869.

Rev. E. C. Wines, D. D.:

DEAR SIR — Since making my last annual report, I have been able most Sundays throughout the past year to hold services at the county jail in this village. Rev. Rensselaer Herrington has also officiated most of the time with me, or in my stead. Although we have had an average attendance of more docile and respectful congregations than in the jail visitations of the previous year, and thankfully acknowledge that more interest and sympathy have been manifested towards our exhortations and ministrations by those in



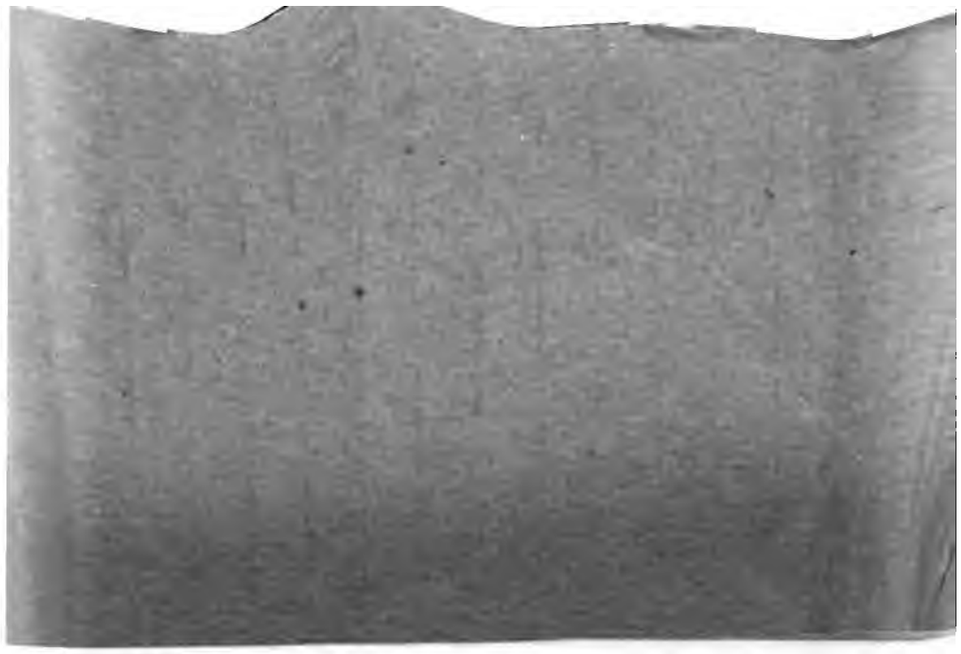
whose behalf we labored, we have still found no occasion to change or even modify the opinions heretofore expressed, viz.: That the jail system in vogue is radically defective as a means, first, of punishing crime; second, of reforming the criminal; third, of affording any adequate protection to society.

The present sheriff is a faithful, sagacious and experienced officer, and the criminals during the year have not generally been of the most hardened and depraved varieties of the criminal class. Yet all this does not tend in the results developed to overthrow, but rather to confirm, previous conclusions. The jail is, from the very essentials of its condition under the current system, a place of enforced idleness; a means of moral contagion; a nursery of crime, or, perhaps more properly, a high school, where all the arts, methods, inventions and evasions of the most expert and ingenious rascals are effectively taught to novices.

Permit me to congratulate you and your coadjutors, in this great branch of reform, upon the extensive interest which is beginning to be manifested by the press and the people, in your statistics and suggestions. It is only through popular ignorance or indifference, that a system at once so barbarous, so wasteful and so inefficient as the present one, can continue much longer to obstruct the progress of intelligence and philanthropy.

I have been particularly impressed with the suggestion that the "criminal class"—those with whom crime has become a chronic habit—should *never*, until *radically reformed*, be discharged from the custody or *surveillance* of the State. The fact has been established by the experience of all brought into frequent contact with jails and prisons, that there are individuals and families, constituting in many localities the bulk of the subjects of criminal justice, who are "chronic cases," so to speak, of moral disease. If the State may assume the continuous custody of confirmed lunatics or inebriates, with how much greater propriety and upon how much more imperative considerations of public necessity, may it arrogate to itself the function of providing at once for the protection of society, and (so far as can be done by human legislation) for the recovery of those whom "Satan has bound" with adamantine links and fetters, or whom he seems, in the words of an inspired Apostle, to "lead captive at his will."

I trust that over and above your efforts to influence *legislation*, for the benefit alike of the public and the criminal, your efforts may prove effectual, as I know they are earnest, to check the growing laxity of the *administration* of criminal law, to "tone up" the popular sentiment of justice, and to defeat the practical evasions,



shifts and delays which assure to dexterous villainy a *quasi* impunity, even in its most extensive and high-handed depredations upon the property and security of the community. Woe to that State where the "foundations" of law and justice are so "cast down" that outraged society puts into the hands of individuals, or self-constituted bands of "regulators," the administration of that justice which it is her (the State's) own high prerogative to dispense.

With cordial congratulations, and devoutly commending to a kind Providence your truly philanthropic and Christian cause,

I am, yours with sincere regard,

L. HINSDALE SHERWOOD.

6. Report of the Committee of Tioga County.

The prison building is a brick structure, about 36 by 60 feet, two stories and a basement. The upper floors are appropriated to the use of the sheriff as a residence, and the basement is used for the jail.

The front ward is heated by one coal stove and is occupied by the prisoners during the day, and the two side wards, with eight cells, four in each, for sleeping purposes, are heated by one stove. A pump in the front ward affords an abundant supply of good water for drinking and washing.

The whole is lighted by eight windows, which are well arranged for the comfort and convenience of the inmates.

The arrangements for ventilation are so defective as to hazard the health of the prisoners, for which and for the insecurity and the otherwise bad condition of the prison, it has been recently indicted as a nuisance. During the year there have been three escapes, all however at one time. During the year one hundred and twenty-four male and six female prisoners have been confined in the jail, a majority of them for drunkenness.

No regular employment for or classification of the prisoners has been attempted.

The prisoners are furnished with a Bible and a few religious books, and are regularly visited by Christian people, on the Sabbath, for religious instruction.

No means of intellectual improvement is provided, except newspaper reading. In cases of sudden sickness, the apartments of the jailer are at a convenient proximity, and competent medical attention is promptly employed when necessary. An abundant supply of wholesome food is regularly furnished.

The sexes are separated by a board partition. No deaths have occurred during the year.

E. W. WARNER.

Owego, January 13, 1869.



7. Report of the Committee of Westchester County.

White Plains, N. Y., *Feb.* 11, 1869.

Dear Dr. Wines: I regret my inability to respond before to your request for a statement relative to the Westchester county prison, and hope this may not be too late to answer your purpose.

The average number of inmates for the year has been sixty-six—the present number being fifty-five. The commitments are much more frequent during the summer, when the *city fraternity* seek the rural districts in quest of a more invigorating atmosphere, if not for less laudable purposes.

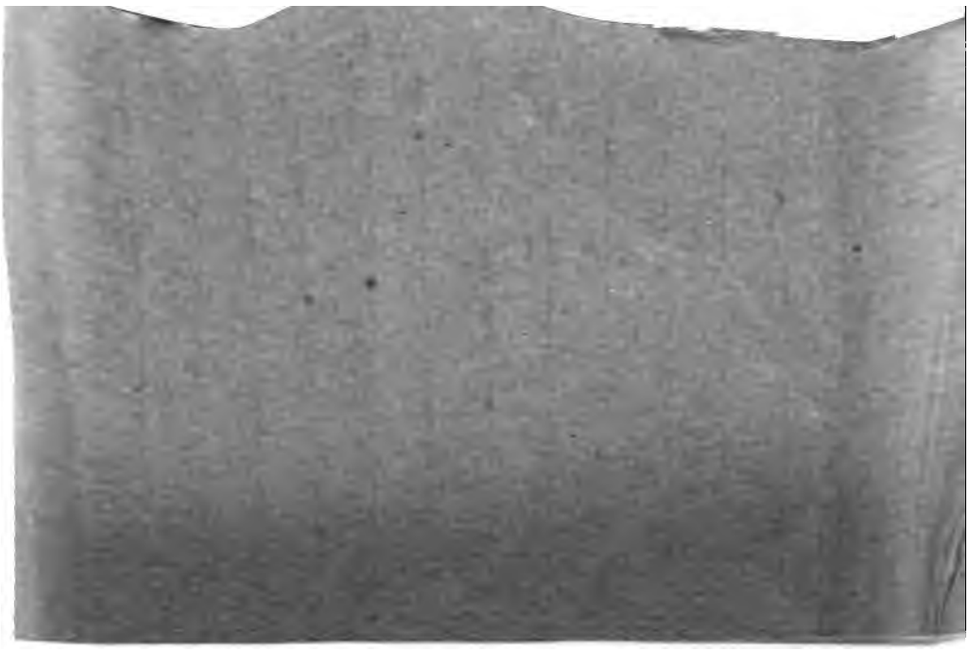
The inmates have not been without religious services. These have been continued with little interruption during the year, and for their maintenance we are in good measure indebted to Dr. Bruen, who has provided for the visit of a young man from the city of New York, on each alternate Lord's day. But it seems like pouring water into a bottomless vessel to attempt the moral improvement of those whom by our very ordering and appointing we expose to temptations of the most revolting nature. It grieves me to be again compelled to allude to the crying necessity which still exists for the separation of the sexes. It has been my privilege during the present winter to visit the prison in Elizabeth, N. J.

The only objection to what I there saw was that the perfection of every thing—the neatness, the system, the propriety of arrangement—would be likely to render prison life *too attractive* to those who should afterward recall their incarceration, when at any time tempted to expose themselves to the danger of arrest. The apartments for men and women were not only separated, but *in different* and *distinct wards*, and so constructed that each was, at all times, under the inspection of the officer who could, from the warden's room, see and hear all that passed in the respective corridors.

The *poverty* of Westchester county is more apparent in her prison than in any other of her arrangements. Crimes of the most heinous character must be encouraged, nay, *induced*, because this great county cannot endure the outlay of a few thousands for *virtue's* and *humanity's* sake.

We who are residents here feel it to be a burning shame, that such a state of things should be allowed to continue, it being beyond our power to remedy the evil.

We have petitioned. The matter has been fully and frequently discussed. Plans and specifications (as I understand) have been prepared for additional accommodations, which shall be more in keeping with *necessity*, *modesty* and *propriety*; but, year after year, the board of supervisors postpone the accomplishment of the greatly needed



alteration, because they *fear the outlay*. The evil which recently followed such procedure in a neighboring town in Connecticut, where a few dollars timely expended would have saved a number of precious lives and thousands of dollars, is in a moral aspect being *exceeded* in our case. The change should be effected *at once*. Nothing is to be gained by delay. It will have *yet* to be done, and at no less cost.

How much better, therefore, to do it *immediately*, that we be no longer *accessory* to the commission of crime. Cannot the State committee influence the board, and encourage them to move, without longer delay, in the accomplishment of this important addition to our prison limits? We hope that it is possible.

Since our last report, the five prisoners who had been confined for more than two years, in the matter of Miss Hicks' murder, have been removed from us — the one who fired the fatal shot being under sentence for life at Sing Sing, another acquitted by the jury, a third discharged by *nolle prosequi*, and two who were no more implicated in the transaction, if as much, after being under sentence of death, are now in Sing Sing, under a commutation of sentence to six years.

If executive clemency is ever justifiable in such instances, it certainly should reach their case.

The health of the prison has been remarkably good, the character of the inmates strangely diversified, and, in some instances, affords a sorry exhibit of the depths of human depravity.

Very truly yours,

THEODORE S. RUMNEY,
for the Committee.

8. Report of the Committee for Oneida County.

Rome, *January* 9, 1869.

Rev. Dr. Wines:

Dear Sir — I received, a few days since, your customary invitation to report the work that has been done within the last year for the benefit of the prisoners in the Rome jail. I will say in the outset that at no period, since I have had the privilege of laboring in this unpromising field, have I spent so much time in visiting the prisoners and talking to them on the subject of religion, as I have since last spring. Nearly every Sabbath they have been provided with papers, tracts and books, and some time has been spent in impressing their minds with the leading truths of the Bible. They have always listened attentively to what has been said, and, in some cases, with favorable results. One who was convicted of a capital crime, and was executed on the 8th of the present month, gave unmistakable

signs of repentance, and, I believe, died the death of a Christian. Some others have started out at least with better resolutions and a firmer purpose to live a different life, but it remains to be seen how capable they are of carrying them out.

I trust that my labor has not been in vain, and as I become better qualified for this kind of work, I shall be able to accomplish more. We hope to have some books soon for the use of the prisoners, and with something good to read during the week, their minds will be better prepared for the reception of the truth on the Sabbath.

Yours, &c.,

S. G. VISSCHER.

9. Report of the Committee of Orange County.

Newburgh, N. Y., January 20th, 1869.

Rev. Dr. Wines, Cor. Sec'y:

Dear Brother — I have nothing to report about our jail. In this city Rev. Mr. Murray, our city missionary, has continued to preach to the inmates every Sunday morning. Our papers have occasionally discussed the necessity of better accommodations for prisoners, etc.

At Goshen, where is situated the other jail of the county, I know not what is done for the moral benefit of prisoners.

Allow me to suggest that you place the name of Rev. J. Forsyth, D.D., as chairman of our local committee.

Yours respectfully,

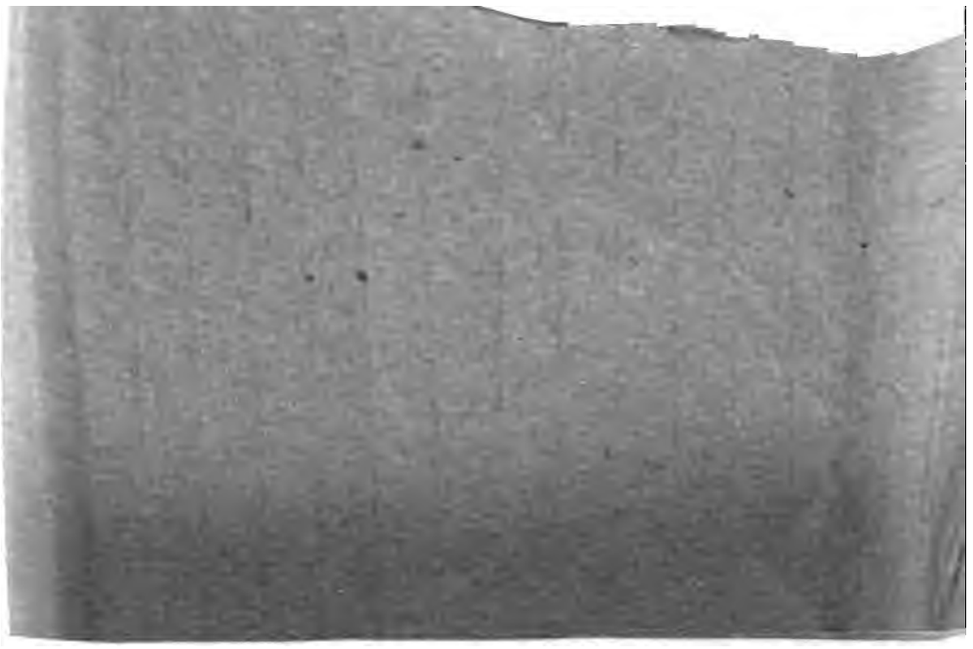
G. HENRY MANDEVILLE.

10. Report of the Committee of Ulster County.

Cambridge, Mass., Feb. 3, 1869.

Rev. Dr. Wines:

Dear Sir — As I was about leaving Kingston, and busy in the work of moving, I did not reply, as was desirable, immediately to your inquiry respecting labors in the jail. I have had no such office as "chairman of local committee," etc., but the inquiry was addressed to me, and I may answer that, in connection with my friend, Mr. Henry H. Reynolds, a service was held with the prisoners in the jail every Wednesday afternoon. This we have continued together for five years. I read a portion of our liturgy, including the litany, and encouraged the prisoners to respond and join in the service, which they did encouragingly. Then we sang a hymn, and after that we made addresses, generally founded on the lesson for the day which had been read previously in the service. This was *always* listened to with respect, and sometimes with marked feeling, and in particular cases with decided improvement and reformation of character.



The last year will compare favorably with the others in this respect, and more was done, as Mr. Reynolds had a meeting with the prisoners by himself also on every Sunday afternoon.

My conviction is, that *voluntary* labors, wisely conducted with the prisoners in all our jails, would do much good. There are many to lament the recent death of the friend of the prisoner and of the poor, Mr. Henry H. Reynolds. I hope there may be some one to keep up those religious services in Kingston, but I believe they are at present suspended.

Much interested in the cause in which you are officially engaged, and purposing to do always what I can in behalf of that pitiable as well as execrable class of human beings, "prisoners and captives,"

I remain, with all respect and regard,

Very faithfully yours,

GEO. WATERS.

It is proper to state, just here, that at a meeting of the executive committee of the Prison Association, held on Tuesday, the 5th of January, 1869, the following preamble and resolutions relative to the demise of Mr. Reynolds, were moved by Dr. Griscom, and adopted:

Whereas, The Executive Committee of the Prison Association of New York has received information of the departure from this life of our highly esteemed coadjutor, H. H. Reynolds, Esq., who was a member of the local committee of the Association in Ulster County, where, for many years, with a zeal as intelligent as it was energetic, he devoted himself to efforts for the moral improvement of the inmates of the common jail of the county, visiting them systematically, holding and causing to be held frequent religious services for their benefit, distributing to them without stint tracts and other religious reading suited to their wants, and following them after they had left the prison with his counsels and his prayers; therefore

Resolved, unanimously, That the many self-denying labors of Mr. Reynolds in aid of the work of the Prison Association, while engaged at the same time in active mercantile and banking occupations, were a bright exhibition of true Christian philanthropy, and presented an example to his fellow-citizens of this State, whose imitation by those who survive him would be productive, to a large extent, of that genuine reformation of criminals, which is the most desirable, as it is the most important, of all the objects of penal institutions.

Resolved, That a copy of this paper be sent to the family of our departed friend and fellow-worker, as a token of our appreciation of his devoted and useful services, and of our profound sympathy with them in the sad loss which they have sustained, and that the same be printed in our annual report.

11. Report of the Committee of Saratoga County.

Ballston Spa, January 8, 1869.

Rev. E. C. Wines, D. D.: Your committee, appointed to exert, if possible, a moral influence over the inmates of the jail of Saratoga county, would respectfully report:

That the moral character of the prisoners of the jail of this county is very much improved from former years, and they have not exhibited that depth of depravity as formerly. And on our last visit we were happy to find most of the cells without an occupant; and where we have often found 20 or more, we found only 5 prisoners. And they were mostly for petty crimes growing out of the use of rum.

We could not but think that the rum-seller, who is equally guilty with the rum-drinker, should share in the punishment, and be imprisoned a part of the time at least. We are happy to say the prisoners have been supplied with suitable reading matter, which has been thankfully received and read with interest, and they regretted they could not exercise more control over their appetite for strong drink which had brought wretchedness and ruin upon them.

All of which is respectfully submitted.

Yours with regard,

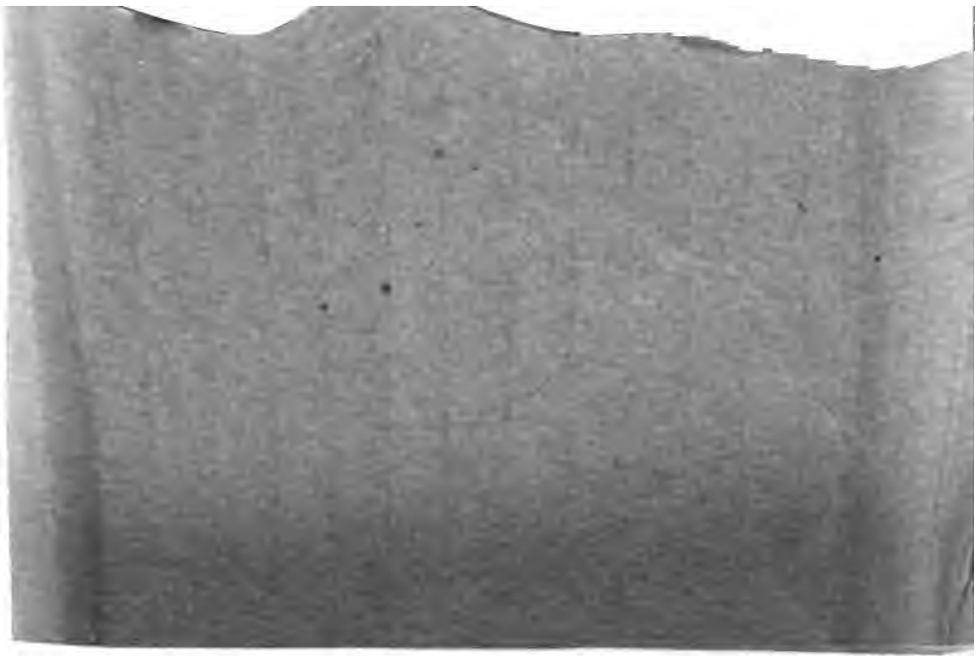
TITUS M. MITCHELL,
Chairman of Committee.

12. REPORT OF THE COMMITTEE OF NIAGARA COUNTY.

LOCKPORT, February 6, 1869.

Rev. E. C. Wines, D. D.:

DEAR SIR — Your annual report of 1867, full of interest, also your request of December 29, 1868, are before us, and would have been acknowledged ere this but for illness. We hope this will not be too late for you. You are probably aware that Mrs. Maxwell is employed by our city Bible and Tract Society as their Bible reader, and is the only one employed; her time is fully occupied, and all that one feeble woman can accomplish, in a city numbering 12,000 souls, is only as a drop compared with the ocean; yet we have reason to bless God and take courage for what has been done. We have adopted the old saying that "Prevention is cheaper and better than cure;" consequently, Mrs. Maxwell spends most of her time in personal appeals, and reading the Scriptures to those peculiarly exposed to degradation and crimes. She can only devote a small portion of time with our prisoners. Would time permit, she would be pleased to communicate to you many incidents of labor, showing what may be done to reclaim the fallen and prevent others from falling. You will see by a few incidents and facts what a diminution there has been of crimes since she commenced her mission labors in our city. She commenced in June, 1866, and on the first of August of the same year made her first visit to our jail, then containing in its precincts twenty male and five female prisoners. In September following, the number swelled to forty, and to-day we have only six, and more than half of these



are from the rural districts or villages of our county, not from our city. When she first commenced laboring, she devoted rainy days to prison labor, and as there were many such during the autumn of 1866, she had opportunity of presenting the claims of God earnestly to all the inmates in their cells. The result was that conviction of sin followed; and at the February term of court every criminal confessed his guilt, saving several thousand dollars in the county treasury, and probably more in the government expenses—sentences being mitigated, to say nothing of the satisfactory results of judiciary proceedings. It has been our aim to encourage reformation by securing employment for our released prisoners, but receiving no encouragement from others in this direction, it has been "up hill work." We have in several instances taken them to our home, and I will relate just one incident: One wet Saturday evening, in December, 1866, Mrs. G——, a released prisoner, knocked at our door, asking to be kept over Sabbath. We consented on condition that she should dry her clothes and attend church on the following day, to which she assented. On Sabbath morning, as she told us it was her birth-day, we asked her age, to which she replied, "I am 48 years old." "How many times have you been in jail?" "48 times." "How often in the work-house?" "Five times, and six times in the alms-house." We afterward found her statement to be true. She remained 21 weeks with us, after which she went to friends residing in a distant part of the country, and returned in August, 1868, to thank us for our kindness. She was well clad, and appeared to be reformed. She said she had not tasted liquor since she left us. This incident ought to encourage the establishment of reformatory institutions for released prisoners. Mrs. Maxwell adds in her own name: My heart is full of the mission, and, God helping, I will try to be more zealous to save poor prisoners. I visit the jail every Sabbath morning at the time of morning service in our churches, read the Scriptures and converse with each prisoner on the interests of the soul, and present the claim of God and tell them of Jesus, and pray with and for them, after which I give each a tract and religious paper, and Bible if necessary; also provide suitable clothing for the destitute and dainties for the sick, and good christian counsel for all. I regret much that our females and youthful offenders are necessarily exposed to the demoralizing influences of close contact with those old in crime. I would recommend separate quarters for female offenders under the direction of the wife of the sheriff as matron, who should be, as also all officers, persons of christian integrity and self-denial. Our thanks are due to the officers in charge of our jail for their courtesy and co-operation.



Summary of labors in the county jail of Niagara county, by Rev. J. E. Maxwell and Mrs. D. C. Maxwell, for the year 1868:

Preaching by Rev. J. E. Maxwell,	20	times
Visits to jail by Mrs. D. C. Maxwell,	56	"
At such visits read Scripture and offered prayer	36	"
Greatest number of prisoners at one time on Sabbath,	18	
Least number,	6	
Average number for the year about,	11	
Distributed religious papers, number,	571	
Distributed religious tracts,	3,306	pages
Gave prisoners copies of Bible,	6	
Prisoners committed and repeated Scripture verses,	213	
Gave prisoners garments,	20	

On Thanksgiving gave the prisoners a nice dinner, by the aid of a few friends.

On Christmas gave prisoners a small library, from Mrs. Bull and Mrs. Fowler.

We have secured the release of several poor prisoners who were detained on fines, also the mitigation of sentences, in cases where there were extenuating circumstances, to a short term in the Auburn State prison. In a word, we have done what we could.

We wish we might be able to report, at our next communication, our county jail to rent.

All which we respectfully submit.

J. E. MAXWELL,
D. C. MAXWELL.

P. S. We return our thanks for the annual report for 1866.

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XXIV. REPORTS ON COUNTY PENITENTIARIES.

By Committees.

1. Monroe County Penitentiary, by Hon. Charles J. Folger.

At the request of the Executive Committee of the Prison Association, the undersigned caused to be visited and examined the penitentiary or work-house of Monroe county, situated in the immediate neighborhood of Rochester.

	Men.	Women.	Total.
Whole committed last year,	435	150	585
Greatest number at one time,	148	83	231
Smallest number at one time,	111	39	150
Average daily number,	117	53	170
Number at date of inspection,	125	54	179
Committed for felonies,	15	1	16
Committed for minor offences,	420	149	569

The industries of the prison are — the manufacture of boots and shoes and bottoming chairs, at which branches of business the labor is let to contractors; and farm work and the manufacture of pails and tubs, on account of the county, the labor and business being managed by the authorities of the penitentiary. The experiment of working a portion of the prisoners on "county account" has been a success. An average of 40 prisoners have been employed at this business; but there were not more than six or eight of them good men; the rest were the mere refuse of the prison — old, infirm, disabled — many of them not able to do any thing but lounge about the shop. Yet their net earnings amounted to $6,139.72 — an average to each of about fifty cents a day, or a full fifth more than was earned by the best men in the prison who worked on the shoe contract.

The prison was not self-supporting; the expenditures being $30,-684.51, and the revenues $25,705.11, leaving a deficit of $4,979.40.

There is no library for the use of the inmates, other than an old and worn out one; but books and magazines are furnished by friends, and Sabbath school and temperance papers by religious associations.

The Rev. Dr. Luckey continues to act as chaplain, with equal credit to himself and advantage to the institution; conducting religious services every Sabbath morning, and spending a portion of the day in personal conversation with the prisoners at their cells.

Each cell is provided with a Bible, as required by law; and religious tracts and papers are freely distributed. Volunteer work is occasionally done for the benefit of the prisoners, through the visits of benevolent persons to converse with and counsel them.

The dietary of the prison is: *Breakfast*—a hash of meat and potatoes, bread *ad libitum*, with cold water for drink. *Dinner*—corned beef, potatoes and bread five days in a week, and vegetable soup the other two. *Supper*—mush and molasses.

A regular physician is employed on a salary, who visits the penitentiary statedly once a week; at other times, when sent for.

The prison is provided with a hospital, but there would seem to have been little use for it last year. The health of the inmates was good; no death occurred; and there was no sickness at the date of inspection. The prevailing diseases are delirium tremens, venereal, and others incident to a life of vice and crime.

The prisoners have no opportunity of exercise, except in going to and from their shops, and such as is necessary in the performance of the labor.

The drainage is good. The site of the prison is elevated; and a large sewer runs from the center of the main building through the yard, and discharges its contents into the neighboring river. There is no privy. Large buckets are used in the shops, which are frequently emptied. Night tubs are used in the cells, which are emptied twice a day and washed, and occasionally deodorized by lime.

The arrangements for supplying this prison with water are very defective and inadequate. There are two wells, that supply water for drinking and cooking. There are large cisterns that supply, in part, what is needed for washing, bathing, etc.; yet a good deal has to be hauled by teams nearly a mile. There is absolutely no water for use in case of a fire; the consequence of which is, that valuable buildings have repeatedly been burned down. The policy of the supervisors, in this matter, is shortsighted and seems scarcely intelligible.

The building generally, and the cells, appear to be well ventilated. The provisions for this purpose need not be described, especially as this has been done in former reports.

The prisoners wash in the shops, all necessary appliances for the purpose being provided. In summer, they are required to bathe once a week. The bath is hardly less necessary in winter than in summer, and it is highly desirable that provision should be made for heating the bath-rooms, when necessary.

The prisoners' under clothing is commonly washed only once in two weeks—too long an interval.

Iron bedsteads are used, with straw beds. The prison is troubled, more or less, with vermin, as it and other prisons always will be, where short-term prisoners are received.

The bedclothes are woolen blankets; and enough are provided to keep the sleepers warm. There is no regular time for washing them; this is done "as often as they require it."

Prisoners are locked in their cells twelve hours (from 6 P. M. to 6 A. M.), and can sleep as much as they choose within those limits.

The cell-blocks are well lighted in the day time, but not sufficiently at night for reading. Kerosene lamps supply a dim light all night. I think it a mistake that light is not furnished sufficient to enable the occupants of the cell to read during the evening.

The prison buildings are heated by coal stoves, and are kept at a comfortable temperature in the coldest weather.

The punishments for a breach of prison rules are: taking away the bed, ration or tobacco, dark cell, dungeon, wearing a heavily ironed shoe, and, in rare instances, the use of the strap.

The sexes are confined in different wings, and are effectually separated.

The moral means used to secure good conduct, and if possible, the reformation of the prisoners, are: the chapel services, the personal visits of the chaplain, the distribution of religious tracts, etc., and trying to convince the prisoners that good behavior brings its reward in prison as well as outside, and that the officers are their friends as long as their conduct is such as to entitle them to their friendship.

There is no classification of prisoners other than by a separation of the sexes.

The prison is a brick structure, with tin roof, erected in 1853. It stands on an elevated piece of land of thirty-two acres, to the south of the city of Rochester, and just outside its limits. The centre building is 56x66 feet; the male wing, 150x40 feet; and the female wing, 90x40 feet. The cells are 8 feet long, 4 feet 4 inches wide and 8 feet high; giving a space of 277 cubic feet.

The prison is considered secure, although five escapes occurred during the year.

The following statement shows the age, race, social relations, education, etc., of the prisoners admitted during the year:

Under twenty,	103
Between twenty and thirty,	204
Between thirty and forty,	135
Between forty and fifty,	85
White,	551
Colored,	34
Native,	314
Foreign,	271
Married,	193
Unmarried,	392
Protestant,	319
Catholic,	264
Jews,	2

Intemperate,	433
Temperate,	163
Could not read,	114
Could read only,	93
Could read and write,	378
Had superior education — one lawyer, one doctor and one priest,	3

CHAS. J. FOLGER,
Of Executive Committee.

2. ERIE COUNTY PENITENTIARY, BY DR. GRISCOM.

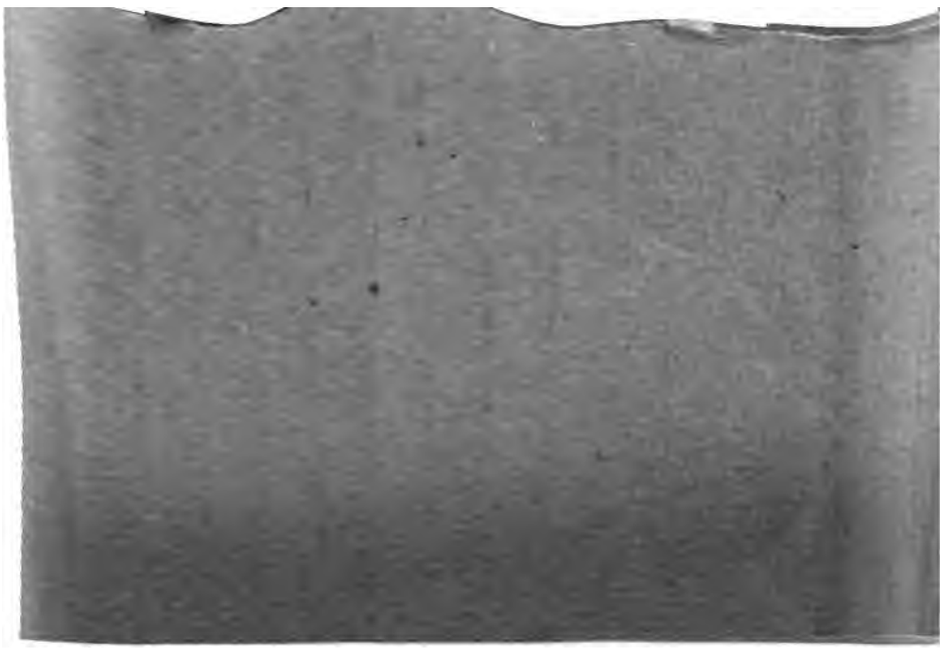
In Erie county a new and admirably constructed and arranged edifice has been recently erected, embracing 200 male cells, in five tiers. There are eighty female cells in another building. Each cell in the new building is ventilated by a flue extending to the attic and terminating in a tube, which is connected with the open atmosphere, though requiring a rather more effective motive power to perfect the operation. The entire number of inmates, viz., 167 males and seventy-seven females were earnestly engaged in the workshops under contracts, thereby earning a considerable portion of the prison expenses. The very salubrious condition and excellent management of this prison, are illustrated by the fact that only one death occurred during the present fiscal year, and that resulted from a previous life of intemperance and dissipation. Although a large number of invalids were noticed, their diseases were caused wholly from the vicious habits practised before entering. No sickness whatever appears to have been occasioned by local causes in the institution. A more worthily and felicitously managed prison is probably not to be found in the United States. The superintendent, Charles E. Felton, has just been re-elected for a third term — a wise choice.

The following extracts from the report of the commissioners will be found interesting:

"The number of males received was 1,449, the number of females, 773. The number received on first commitment was 1,112, against 1,110 on second and after commitments — some of whom have been in this prison from twenty to one hundred and fifty times! Of nativity, 910 were born in the United States, and 1,312 were foreign born.

"There has been but one permanent escape during the nearly six years of the present superintendent's administration. The sanitary condition of the institution has been equal, during the past year, to its former well-earned reputation — very little sickness having prevailed, and but one death having occurred the past year.

"Agreeably with the requirements of the rules, we have visited the institution monthly, and examined all the accounts and vouchers



or its expenditures, and have audited the same. The books of the office have been accurately kept, and we believe that rigid economy has been shown in the purchase of supplies and an entire absence of wastefulness in their use. We have carefully inspected the buildings at our visits, and found them in an excellent state of cleanliness, the discipline of the workshops good, and the treatment of the prisoners by the superintendent and his assistants eminently humane. We can, therefore unanimously say, that, in our opinion, your superintendent is "the right man in the right place," and that the interests of the county could not have been intrusted to better hands.

"The great increase in the number of commitments, during the past three years, and the extraordinary shortness of the averages of sentences, present for solution questions of great importance to our people. Under the lax system pursued in this city by our justices and police authorities, with the most favorable management by your prison officers no good can be accomplished, further than the mere detention of the prisoner. During the year, scores of prisoners were re-sentenced to this prison, under terms varying from ten to thirty days, who had already served sentences varying from twenty to a hundred and fifty times each. The cost of the care of short-timed convicts is much greater, proportionately, than of those under long sentences, and their labor, at any manufacturing employment, is barely worth the cost of its care."

JOHN H. GRISCOM.

3. ALBANY COUNTY PENITENTIARY, BY THE CORRESPONDING SECRETARY.

The undersigned has paid several visits, in the course of the year, to this well known and ably conducted institution. The recent improvements made in the buildings of the penitentiary have been fully described in former reports, and the descriptions need not be repeated. I noticed, however, two changes which afforded much gratification: 1. The library of the prison has been greatly enlarged, and a handsome case has been placed in one end of the large and airy hospital-room for its accommodation. 2. The old parti-colored prison dress has been discarded, and a new suit of uniform color (dark grey) substituted in its place. General Pilsbury, with his usual modesty, has not even mentioned this fact in his annual report for last year; but it is a fact none the less significant, and none the less likely to exert a strong moral influence in other prisons: an influence justly due to the large experience, rare prudence, and known conservatism of this distinguished prison officer.

The financial adminstration of this prison continues to be highly satisfactory. The entire expenditure for the year was $41,789.27; the total earnings, $52,025.20; leaving a net profit of $10,235.23.

The principal work done in the institution during the year was shoemaking.

Most of the women, with about twelve male prisoners, have been employed in caning and finishing chair seats and backs.

Census of Prisoners.

The number of prisoners received during the year has been,	801
Which added to those on hand Oct. 31, 1867,	410
Makes a total in confinement for the year of,	1,211
Total number discharged during the year,	855
Leaving in confinement, October 31, 1868,	356

Sex and Color.

Of the number received during the year, there were:

Males,	597
Females,	204
Total,	801
White,	710
Colored,	91
Total,	801

Nativity.

Of these there were born in the United States,	421
In foreign countries,	380
Total,	801

Education.

Could not read,	273
Could read only,	161
Could read and write,	367
Total,	801

Previous Moral Habits.

Intemperate by their own admission,	628
Claimed to be temperate,	173
Total,	801

Of the commitments during the year, 528 were for misdemeanor, 14 for offences against the person, 239 for offences against property, and 20 for offences against the United States.



Terms of Sentence.

ntenced for terms less than six months	572
or six months each	98
or terms from eight months to one year	24
or one year, or until bailed	26
or terms of one year and not exceeding two years	39
or terms from two years to three years	31
or terms from five to eight years	8
or terms of ten years and not exceeding thirteen	3
Total	801

The following highly instructive statistics, covering the whole period of the existence of the penitentiary, have been compiled by the superintendent:

1. *Tabular Statement of Convicts Received into the Albany Penitentiary since its Opening.*

YEAR.	Whole Number.	Sex.		Age when Committed.					Education.			Habits of Life.		Social State.		Nativity.	
		Male.	Female.	Under 20.	20 to 30.	30 to 40.	40 to 50.	Over 50.	Not Read.	Read.	Read and Write.	Temperate.	Intemperate.	Single.	Married.	Natives.	Foreigners.
1849,	408	308	100	77	136	94	68	33	133	80	195	74	334	211	197	173	235
1850,	498	359	139	86	173	113	86	40	165	127	206	47	451	226	272	214	284
1851,	627	443	184	97	214	153	97	66	185	165	277	65	562	253	344	270	357
1852,	759	540	219	108	261	174	143	73	214	216	329	25	734	323	396	313	446
1853,	723	534	188	151	210	176	105	78	255	150	308	27	695	289	433	279	443
1854,	672	513	159	115	216	154	133	54	223	143	306	38	634	338	334	257	415
1855,	801	593	208	130	269	217	132	53	301	203	297	30	771	430	371	302	499
1856,	990	741	249	123	322	249	185	111	326	211	453	107	883	493	497	388	602
1857,	1,187	903	284	143	345	313	229	157	324	289	624	144	1,043	533	654	416	771
1858,	1,150	878	272	158	359	296	192	145	342	282	526	198	957	548	602	414	736
1859,	1,207	953	254	125	380	296	252	154	331	302	574	128	1,079	680	527	410	797
1860,	1,484	1,172	312	157	432	407	283	205	367	349	738	82	1,402	732	752	508	976
1861,	1,533	1,171	362	153	465	402	324	189	346	436	751	82	1,451	886	647	502	1,031
1862,	1,090	758	332	127	347	283	201	125	330	279	481	154	936	556	534	426	664
1863,	1,133	760	373	121	361	272	202	157	371	268	494	86	1,047	614	519	451	682
1864,	687	425	262	124	224	161	96	80	192	165	330	128	559	349	338	321	366
1865,	892	643	249	187	304	183	71	56	302	154	436	289	603	568	324	516	376
1866,	934	716	218	195	388	163	114	74	395	170	369	263	651	551	353	566	368
1867,	817	567	250	151	286	180	102	98	289	190	338	190	627	503	314	440	377
1868,	801	660	141	144	279	175	124	79	273	161	367	173	628	535	266	421	380
Total,	18,392	13,657	4,735	2,692	6,063	4,459	3,141	2,037	5,661	4,299	8,432	2,345	16,047	9,848	8,544	7,622	10,770



2. *Tabular Statement, showing the yearly commitments, average monthly number of prisoners, income, expenditures, etc., from* 1849 *to* 1868, *both inclusive, in the Albany* ***Penitentiary.***

For the Year ending 31st October.	Number of Commitments.	Average monthly number of inmates.	Committed for terms of less than six months.	Income.	Ordinary expenditures.	Income over expenditure.	Expenditure over income.
1849,	408	155	215	$5,125 90	$8,896 88	.....	$3,780 98
1850,	498	162	259	9,510 51	10,261 42	.....	450 91
1851,	627	175	450	12,151 99	11,138 92	$1,013 07	
1852,	759	225	507	16,595 71	14,285 65	2,310 06	
1853,	723	240	496	18,117 18	15,038 12	3,079 06	
1854,	672	210	505	16,300 42	14,755 20	1,545 22	
1855,	801	235	608	18,174 25	15,587 72	2,586 53	
1856,	990	211	788	18,345 98	15,167 94	3,178 04	
1857,	1,187	297	980	21,098 25	18,945 49	2,152 76	
1858,	1,150	266	932	8,466 85	18,434 36	.....	9,967 51
1859,	1,207	257	1,024	18,119 08	13,562 45	4,556 61	
1860,	1,484	249	1,292	18,387 90	14,316 71	4,071 19	
1861,	1,533	222	1,355	15,343 33	14,295 26	1,048 07	
1862,	1,090	236	815	18,176 30	14,661 17	3,515 13	
1863,	1,133	377	796	42,048 82	24,524 60	17,524 22	
1864,	687	375	404	53,926 44	33,552 99	20,373 45	
1865,	892	451	372	67,648 22	46,268 18	21,380 04	
1866,	934	547	486	76,975 22	52,562 33	24,412 49	
1867,	817	476	554	70,919 11	49,573 07	21,346 04	
1868,	801	365	572	52,025 20	41,789 97	10,235 23	
	18,392	Av 297	13,512	$577,746 84	$447,618 98	$144,227 21	$14,199 35

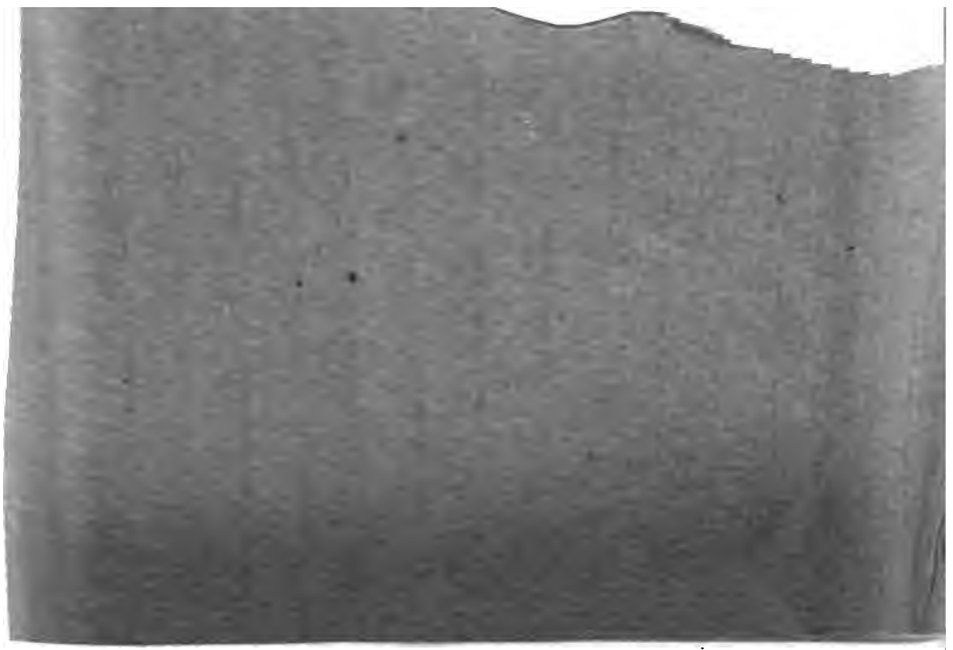
XXV. MUNICIPAL OR INTERMEDIATE PRISONS.

By Z. R. Brockway, Superintendent of the Detroit House of Correction and Corresponding Member of the Prison Association.

The rapid growth of population in the West, with the tendency to aggregate at centres of trade and travel, gives naturally an increase of both the volume and the ratio of crime. So marked is this tendency in some of the larger cities, that institutions have been and are now being established at very great outlay of treasure, designed to check or correct the evil. There is in process of construction at Pittsburg an establishment of this kind that will cost $400,000. Cincinnati is expending $600,000 for a similar purpose. Cleveland has purchased a site, and Chicago and St. Louis have been agitating the question for some years. It is the purpose of this paper to state the true design of such institutions, as it appears to the writer; also some of the principles that should govern their general management, in the hope that suggestions may be offered that will be of service in the organization and development of such institutions throughout the land.

The demand for these prisons is occasioned by the existence in society of a class or classes of persons, who, from the nature of their desires, the character of their employment and the quality of their satisfactions, are inimical to the general welfare. They originate from the degraded of foreign countries, from the children born and trained in the almshouses and poverty-stricken, debased families of our own country, and from those whose early and maturer life is out of the family relation, or in broken homes.

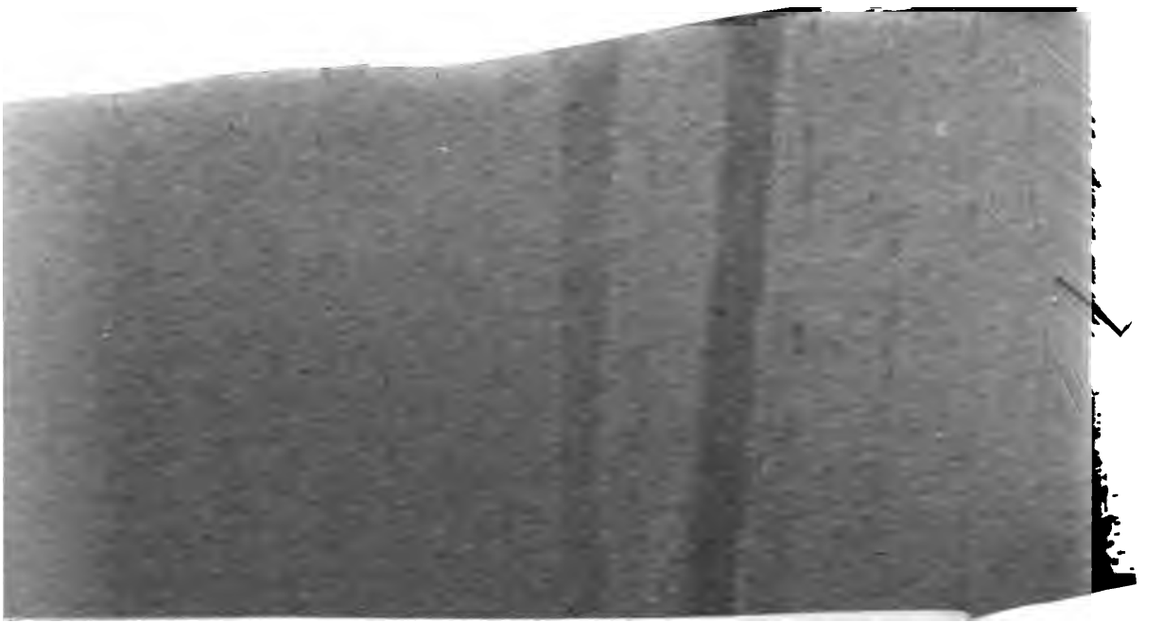
The annual emigration to this country of (say) 300,000 souls from the crowded marts of Europe, if bringing only the legitimate percentage of vicious and criminal persons, would account for much of this evil; but it is known that this country has been and is now used by the governments of Europe as a place to which they practically banish their dependent and troublesome classes, and the form of our government, the character of our institutions and the broad expanse of our territory offer to their oppressed and consequently degraded classes great inducements to emigrate, so that, along with the benefits derived from European emigration through the noble and the good that have come to our shores, there has been more than the mean ratio of dependent and debased persons. This view is sustained by the fol-



lowing statistics gathered from the four principal prisons of the class under consideration:

There were received into the Albany county penitentiary during a period of fourteen years 12,972 prisoners, of whom 7,964 were foreign born and 5,008 natives. The Monroe county penitentiary at Rochester during a period of ten years received 7,425, of which number 4,277 were foreign born and 3,148 natives. The Erie county penitentiary, at Buffalo, during nine years received 13,635, of which number 9,088 were foreign born and 4,547 natives. The Detroit house of correction in six years received 3,826, of which number 2,097 were foreigners and 1,727 natives. It should be further stated that about fifty per cent of those reported as native born were of foreign parentage.

I believe that no State in the Union, save Massachusetts, has adopted any measures to counteract the influence of almshouse life upon the great number of children born and reared as paupers. In 1867 there were 3,000 children and youth, who from various causes had become wards of that State, of whom the following is said in the report of State charities for that year at page 29: "They have generally, by inheritance, impoverished blood and vicious tendencies, and they would have had vicious associations. A very large portion would therefore have inevitably led vicious lives, and given to their children intensified tendencies to pauperism, vice and crime." What is here stated to be a result avoided by Massachusetts, through the admirable system adopted, is reaped by all the States who have not interposed similar preventives. Without doubt the impoverished blood and consequent vicious tendencies which are inherited, and which are produced by the defective poor system and by poverty, are a prime source from which springs the class for whose treatment these institutions are required. Another is found in the disturbed domestic relations by which persons are deprived of the refining and restraining influences that centre in good homes, and this is especially marked among vicious females. Eighty per cent of the females received into the Magdalen Home at Glasgow, Scotland, in 1866, were orphans or half orphans. Seventy per cent of all females received into all the establishments in London the same year were also either orphans or half orphans. Eighty-two per cent of the females confined as prisoners in the Detroit house of correction in December, 1867, were orphans or half orphans. Sixty-three per cent of the 3,826 prisoners, both male and female, received into this institution, covering a period of six years, were living habitually out of the family relation and without homes. Substantially this is true also of the persons committed to the other three prisons before mentioned. These facts,



together with our knowledge of the unworthy character of most of the places denominated homes, from which those come who are reported as living within the family relation, is conclusive evidence that the abnormal social condition of persons whose homes are broken tends to baseness of morals, vicious indulgences and vagabondage.

If the foregoing are causes producing dependent and dangerous classes in society, then they indicate the direction for applying remedial efforts and preventive agencies to diminish their quantum. But the matter immediately in hand is the control, modification and abatement of the evil as it now is, and we have under consideration only one class of the contrivances of men for this end, viz., *municipal or intermediate prisons.*

The design of these institutions is two-fold, viz., preventive and reformatory — to restrain and prevent the manifestation of the vicious inclinations of the class described, and to improve the character of the individuals who commit offences and are imprisoned therefor. The true interests of society are best promoted by those measures that prevent the perpetration of offences and the growth of bad character in its members, for every infraction of law not only mars the character of the offender and brings into activity a bad element, but is a shock to the fabric of society, weakening the whole structure in proportion to the trivial or heinous character of the offence. The Christian institutions, benevolent and charitable societies and educational establishments are all, in the nature of their organization, admirably adapted to this work; but as their influence does not perfectly accomplish this end, some other provision is necessary for the treatment of those who break through these restraints and actually enter upon a vicious course, leading, as vicious practices always do, towards the commission of the higher crimes.

The treatment of such in these institutions, at the beginning of their open violation of law, is found to retard their progress in evil and often to result in an entire change of conduct; supplementing thus the educational, benevolent and religious institutions of society, adding to their force, and reaching after those who escape or resist their influence.

Also, the dread of personal restraint, the privation of accustomed indulgencies, the natural repugnance of such persons to thorough sanitary regulations, habits of industry and order, the purer moral atmosphere to be found in well conducted prisons of this class, the general impression abroad that an improper line of conduct may be visited by an arbitrary interference with the chosen mode of life and compulsory induction into uncongenial, because more refined habits,



e a restraint upon the criminally inclined members of society roughout the territory embraced by them.

The reformatory design of these establishments must not and need ot be lost sight of in our zeal for their preventive influence, for the ighest welfare of the inmates is perfectly consonant with the best velfare of society at large. I do not hesitate to say that in the eformation of prisoners and in wise efforts to that end will be found a key to the true prison system and the soundest criminal code.

Objections to this view spring from (1) A wide-spread skepticism as to the possibility of reforming the classes of persons confined in prisons. (2) The belief that if this be made the main object for which imprisonment is had, our prisons would at once take rank with the benevolent institutions, offering to the tempted classes an additional temptation in the form of an elegant residence with gratuitous support as reward for the perpetration of offences, thus destroying their preventive force. (3) An opinion that the kindness, consideration and comforts necessarily accorded to prisoners, if their social elevation and moral reformation is mainly sought, would demoralize the discipline, destroy the industrial benefits now reaped, and impose upon society heavy pecuniary burdens.

The false standard of reformation frequently entertained gives rise to skepticism on this subject. A standard of character is often demanded of persons claiming to be reformed, as the evidence of reformation and the condition of their entrance into society again, which is above the status of most men, and far above the average of those to whose society they seek admission. We are too much inclined to doubt the reformation of a prisoner, unless he be lifted at once to very near our ideal of human perfection, and to doubt whether any thing is accomplished unless we observe an instantaneous and radical revolution of the whole character and life. Adherence to habits of a lifetime and the pursuit of occupations for a living, which are contemned by society, is not always evidence of depraved character. The moral quality of an act, and hence the real character of the actor, are governed in ethics, as in law, by the intent, not by the public estimate or the usages of any class of society. One may rest under the social ban, and still preserve before God a righteous character. Christ has clearly taught that His estimate is based upon the motive, purpose, intent, and not upon the outward appearance, in His commendation of the poor widow who, in bestowing two mites — all her living — He declared, had given "more than they all."

Persons of the class under consideration are generally without moral sense, or with obscure and weak convictions on moral questions. The qualities inherited, the circumstances of their childhood,

the associations of their youth and mature years, obscure, paralyze and sometimes destroy that sensitiveness to wrong, which is one of the faculties of our nature. Those who have been much in contact with criminals, whether old or young, will readily assent to this proposition. The vices and even the most heinous crimes are committed without that struggle of the will and the conscience so often portrayed; on the contrary, he who is most fearless and adroit is an *able man*, and exalted to high position in the esteem of his friends. Much of the doubt existing as to the possibility of reclaiming criminals can be traced to the influence of failure to induce men to change their course of conduct from considerations that influence us, but which have no hold upon them because of this abnormal condition of the conscience, when a wiser selection of motives would have succeeded.

That standard of reformation is too high which expects discharged prisoners to square their life to maxims taught them by preachers, but which are not practiced by society generally. Their standard of morality will be the standard practised by people who are honored and regarded as good members of society; therefore the absence of satisfactory and observed reformatory results should not always be attributed to a defective reformatory prison system. The vices and crimes that appear upon the surface, on careful investigation, are seen to be but the natural expression of the aggregated moral quality of society. A low moral standard in a State or community has always found, and must of necessity find, its expression in the evil practices of the depraved, just as the refined Christian sentiment of a people finds its expression in the benevolent acts of the few, and in the benevolent institutions springing from them. We esteem too lightly the influence of the social surroundings in producing that course of conduct in men, which fixes their character with us as good or bad, and are too ready to put beyond the reach of moral influences those whose outward life does not accord with our ideas of morality. The history of a confidence operator shows that the state of boy-society in his village pressed him to an expenditure of money beyond his income, and instructed him in the acts of dishonesty at first. Having accumulated or inherited five thousand dollars, which he came into possession of at the age of twenty-one, he married and commenced a respectable life, but being soon stripped of his property by the sharp though legal practice of a real estate operator in high social position, and led thus to depreciate the obligations to honesty, he again entered upon his "old business," which he deemed of the same intrinsic character as the transactions through which he had been deprived of his property, and fully up to the daily practice of

se around him who were respectable and honored. The death of wife and of his sister's husband turned him again to a better course conduct, he removing to a locality where he was a stranger and ay from the scenes of his old life, with his sister and her child as ects of his care. During the late war, in which he was a soldier of Union army, a report having reached his home that he had fallen, officer of the village church presented to his sister for payment a ged note, purporting to have been drawn by him, threatening to force collection unless paid. On his return, the detectives, who d ascertained his whereabouts, levied contributions from time to ne as "hush money," until he was forced to sell and remove to a ore retired quarter where he now resides, using it as a base of erations upon the credulous who thread the avenues of travel. hus the low moral tone of society led him, when a boy, to the first ep in a life of crime — the mercenary selfishness of a member of ongress and real estate dealer, whose social position he emulated, as the instrument of his first relapse — an official in one of the reli- ious sects, by attempted fraud, further depressed his moral estimates. he officers of the law, by their rapacious greed, drove him from the rdinary business pursuits, when he plunged again and finally into a wrong course, confident that if arrested, he could escape the penalty f his offences by the use of money, and feeling really that though he is hunted as an enemy of society, yet he is on a par with others of his race, judging, as he does, from the specimens with whom he has been brought in contact, and who have influenced his career. The conversations with this man revealed no motive in the fluctuations from one style of life to another but the one motive — *interest;* and is not this the "power behind the throne" that moves many in a differ- ent direction?

Much of the skepticism on this subject would disappear and more satisfactory results be had, if the distinction between real character and one's reputation should be maintained, and if Christian society could be made more thoroughly in fact what it is in name.

The second objection, viz., that when reformation is the leading object, the tendency is to extravagant expenditure for buildings and appointments and to a comfortable style of living, so much above the condition of the lowest classes as to offer inducements to criminal practices among them, is tenaciously held by the adherents to the old systems of prison discipline.

There is no doubt but the reputation of these institutions, if properly organized and conducted, may, as before indicated, exert a repressing effect upon the growth of evil, and that this is one of the best effects wrought, there is little question. This reputation

springs from the general high tone of the management, and not from any special characteristic thereof, whether of indulgence or hardness. It is absurd to suppose that persons disposed to criminal practices carefully canvass the details of the arrangements and dietary of the prison into which, if detected and convicted, they might possibly be sent, and this before perpetrating an offence; and they are not deterred by the general reputation for severity, for they have an unconscious leaning towards the place where the infliction and endurance is had, finding there a congenial element. This is shown by the satisfaction with which discharged prisoners relate to their old associates the sufferings and inflictions they claim to have endured while in prison. They regard themselves as heroes, and are so treated by their low acquaintances; and the influence of a severe discipline is made thus to subserve the opposite purpose to that sought. On the other hand, it is not true that the kindness and consideration incident to thorough practical efforts for the elevation and reformation of prisoners, is ever before the mind of the tempted as inducement to a wrong course of action; these measures are so incongruous with the character of debased persons living in degredation, that where they give tone to the reputation of those institutions, they become a more potent restraining force than with any other character it is possible to give them.

If intelligent love inspire our efforts, and not an indulgent sentimentality, there is no real danger of detracting from the deterring force of our prison system by making the reformation of the criminal the main object of imprisonment, and I am firmly convinced that this force would be much enhanced. The popular impression that prisons are instruments for administering to their inmates punishment, until an amount of suffering is inflicted that shall satisfy some ideal of justice, needs to be corrected. The spirit and principles that animate the Divine government — the infliction of punishment to secure obedience and uphold the moral order of created intelligent beings — the spirit underlying the civilizing and christianizing agencies in society should animate these institutions.

The practical difficulties suggested by the third objection, that the "love system" destroys healthy discipline and works injury to the pecuniary interests may be obviated by skillful administration.

It is from indulgence that these difficulties arise, but this is not necessarily involved in the law of kindness. To make love the ruling spirit of prison administration is not to abolish all law; for "love, wheresoever it appears, is in its measure a law-making power, and is dutiful in thought and deed;" it is for all the highest possible rule of action, at once demanding obedience and inspiring the dispo-

on to obey. Genuine love has an element of "hardness." Pas- Heldring, of the asylum establishments near Hemmen, in Hol- d, says: "However kind and large-hearted love may be, it is also st, holy, and therefore hard; not that this hardness is loveless, on contrary, the eye which sparkles with anger may at the same ne express the deep feeling of a heart which is moved with compas- on." It is possible to rule a prison with firm hand, yet at the same ne in the spirit of a just and holy love.

Experience shows that the introduction of wise measures, with ncere purpose to improve the physical, intellectual and moral con- ition and character of prisoners, develops the better side of ninety er cent, so as to lift them out of the reign of law, rendering them asily controlled by moral means and adding to their value in the ndustrial department; while ten per cent require a rigid — not severe — discipline. If these few are separated, there is no difficulty in gov- erning the others upon this system; and if full control is had, good business ability and wise management will secure satisfactory pecu- niary results.

The design of these municipal or intermediate establishments, then, may be stated to be the treatment of persons who commit offences against society, known as misdemeanors, with the view to exert a preventive and reformatory power — the preventive force being most surely had, and in largest measure, by locating, con- structing, organizing and administering them for the main purpose of reformation.

The location of these prisons should be selected with an eye to pleasant surroundings, pure air, easy drainage and a plentiful supply of water. They should be separated from the noise and yet near to the business of the city. They should be placed with a view to observation from thoroughfares.

Cleanliness is essential to the elevation of mankind. It cannot be had in the midst of squalid surroundings, in an impure atmosphere, and in the absence of drainage and a plentiful supply of water.

The noise and bustle of the business of a city, if it reaches the ears of prisoners in confinement, breeds discontent, diverts the mind and thus hinders the work of reformation.

The business interests are of such magnitude as to demand a con- venient market reasonably near, and also good facilities for trans- portation to and from the institution. The location has also much to do with the standing in the public esteem, and this standard of opinion has much to do with the restraining and reformatory results desired. The lower strata of society have no sympathy with the objects of high-toned establishments of this kind, and will work

injury to them, unless the better classes feel an active interest in them. If rigorous work and practical results of a reformatory type are wrought for society, the instrument thereof must have a place in the respectful interest and lively sympathies of the good, and experience has demonstrated the difficulty of interesting such when the location is in forbidding quarters, or so remote from town or off from frequent drives, as to make special efforts necessary to reach it. The same, or similar reasons for locating colleges, asylums or hospitals in picturesque and beautiful surroundings, apply with great force to the location of prisons.

In the construction, extravagant ornamentation should be avoided, yet some attention should be given to beauty of design and architectural symmetry, for the outward appearance of the buildings influences the current opinion, and the first impression upon the inmate is important. If he passes into an establishment, the exterior of which has impressed him as a bastile of the fourteenth century, it will be difficult to correct the impression by any subsequent experience of a contradictory character; "preconceived theories founded on false analogies will vitiate our observation of the commonest facts."

The same reasons offered for a pleasant exterior apply to the interior. Cleanliness, taste and cheerfulness should impress one at the very entrance. Strength should be next suggested, and the judgment convinced that escape is impossible. The apparent weakness of a prison is a positive hindrance to the reformation of prisoners in the temptation offered to secure their liberty, in violation of law, by treachery or violence. It fills the mind with unrest and a bad element. An intelligent prisoner recently said to me that the prison where he was confined seemed so illy constructed and easily broken, that he was powerless to hold his mind to the consideration of subjects calculated to improve his character. The idea of regaining his liberty unlawfully was present with him as an evil spirit, destroying the beginnings of a better life. Not only should these prisons be strong, but so arranged that constant supervision may be had readily and at small expense. No amount of material strength can compensate for the absence of supervision. Nothing so quiets the minds of prisoners as the consciousness that an eye is always upon them; 'tis an indisputable safeguard, an essential of every reformatory system.

If both sexes are to be incarcerated in the same institution, it is of the utmost importance that they be thoroughly separated. No opportunity of communicating with or observing each other can be allowed without hindrance to reformatory results. I am of opinion that each sex should be treated in separate establishments, constructed

conducted quite differently. They may be near and under the
e general management, but should be separate and distinct from
other.

o pains should be spared to flood the buildings with light. The
sical, intellectual and moral well-being of the inmates demands
nd it can be supplied without cost, when the proper facilities are
e provided. It is difficult for one to nurse an evil disposition in
broad glare of the natural light, for "Every one that doeth evil
eth the light, neither cometh to the light." God's sun-light has
ling in its beams for man's intellectual and moral as well as for
physical being.

Heat and ventilation are also important principles to observe in
e construction of the buildings for these institutions. It requires
much caloric for a beggar as a prince; prisoners need the same
nperature as other people; and as an abundance of heat is
sential to thorough ventilation, it should be arranged for and sup-
ied. Steam is preferable to hot air supplied from furnaces and
oves.

Prisoners require fifty per cent more pure air than the tenants of
rdinary dwellings. This element, like light, is *free* to all who will
eceive it, and proper care in the construction of our prisons will
ecure all that is desired. Dim darkness and foul air are agents of
he devil, and will subvert much of our effort for the reformation of
hese persons. Provide, then, complete ventilation.

The proper organization of these prisons is necessary to their suc-
ess, and involves (A) legislation, (B) supervision, and (C) adminis-
tration.

Their usefulness is retarded by that class of legislation that puts them into the framework of society as instruments where are centred and isolated certain forces to be applied methodically until a given known result is obtained, or as an after-thought or specialty dreaded, dishonored and despised — a contrivance apart from ordinary life to cover up and seclude those deemed dead in trespasses and sin, as a cemetery is apart from the town to receive those who die the natural death. They must be legislated into existence as a part of society in harmony with every means she adopts for her preservation and the highest development and welfare of her members. Just as hospitals and asylums are instituted to heal physical and mental disease, so these prisons should be established to cure moral deformity; they are needed as adjuncts to the various refining and purifying agencies, to make further effort in the same direction for those who are not held by them to symmetrical moral development, and who become an offence to society in spite of them.

This would relieve the municipal prisons from the stigma that now attaches to their inmates when they enter society again, and which is a great obstacle to their moral elevation and reformation, notwithstanding there is very much less odium attaching to this than to any other class of prisons for adults. I was met with this lately in the remark of one (while trying to urge him to "one more effort"), who said, "It is useless to try, for the more I succeed, the more I shall feel hampered by the fact of my previous imprisonment; I might as well go under at once."

Legislation is needed to abolish the peremptory character of the sentences imposed upon persons committed to these establishments. The work of reformation is hindered by the sentence to imprisonment for any definite term of time; if too long, the effect is disheartening, depressing, and renders it difficult to inspire the prisoner with any interest in the future, which seems to him a dreary waste from which there is no escape; if too short, the mind bridges over the term, and dwells upon the expected liberty, diverting itself from the present, and giving the same result as when the sentence is too long. The wisest adjustment does not overcome this difficulty, for a point of time is presented to the mind when the life in prison must terminate, and opportunity be had to overcome old habits and associations. Persons whose moral deformity makes them a public offence should be committed to properly organized institutions until they are cured; thus hope would be kept alive, and a powerful inducement offered to enter at once upon the work of self-improvement. There is no more real difficulty in forming an intelligent opinion as to a prisoner's moral improvement than as to the mental or physical convalescence of a patient in a hospital or asylum, and mistakes may be as easily corrected. It is only necessary to so frame the law that when a relapse occurs, the patient may be placed under treatment again, as would be the case if he were afflicted with a relapse of contagious physical disease or mental malady. Every consideration that warrants the commitment of men to hospital or asylum until in the opinion of competent persons they are sufficiently healed to return to society without injury, is an argument for holding in custody persons of such moral character as to render them inimical to the general welfare until they are changed, and can mingle with their fellows without contamination. And when such persons reach this, they should not be held in confinement because of arbitrary sentence.

This standard of legislation possibly cannot be reached at once; but effort in this direction should be made in the organization of every new establishment.



egislation is also needed to prevent the release of prisoners for nical defects in the warrant of commitment on trial by writ of *eas corpus*, and through the payment of fines where an alterna- e sentence is imposed. These practices detract very much from moral force of these institutions by rendering imprisonment un- tain, and therefore diminishing its deterring influence, and by tracting the mind of the prisoner from that voluntary coöperation th the reformatory efforts, without which there is little hope of arked results.

The general supervision of these prisons should be placed in a oard composed of men who can have no partisan, pecuniary or per- nal interest to subserve—successful, enterprising, practical men, breast with the times in their appreciation of the wants of society nd of the forces to be wielded for its improvement—men of com- rehensive benevolence, with faith in God and love for the ideal of an in man, with the requisite courage and energy to grapple with ll social evil and the *sources* of demoralization, with the view to reat them for cure upon sound principles. It is the application of ight principles to the management of the dependent and dangerous lasses that is so much needed; there are benevolent and philan- hropic schemes enough; there is latent benevolence in society to a considerable degree, but no comprehensive, well-matured plan em- bracing the whole subject. Institutions of charitable or benevolent design are constantly being established to meet some special exigency, which from the moment of their inception are clamorous for a meagre support; and, though they succeed in accomplishing their special design to the satisfaction of all concerned, still they are of little value to society, because of their special character and consequent want of harmony with forces operating differently yet for the same grand end.

Such are many of the societies and establishments for the relief of immediate destitution among the poor. To feed the hungry and clothe the naked is a cardinal virtue and most Christ-like, and means more than the bestowment of food and raiment to a famishing fellow-creature; this is best done when the sufferer is taught how to secure and put in the way of securing these necessaries for himself, and never truly done until then. Probably one-half of the population of our large cities are driven to efforts for their support by the present pressing necessity, and will relax exertion in proportion as these wants may be supplied without it; and if, in seeking to relieve the suffering that arises from poverty, we encourage idleness and thus perpetuate the cause, it is questionable whether any real benefit is imparted.

There is no department of social science more ripe for probing than this, and I hope to have an opportunity to offer some suggestions on this subject in a separate paper on another occasion.

The imprisonment of viciously inclined persons for a few days or weeks under the most favorable circumstances, without suitable provision for them on their release, and the indiscriminate association had in jails and police stations are most prolific sources of the evil they seek to prevent. These municipal prisons should be supervised in connection and in harmony with the jails, the juvenile reformatories, asylums, hospitals, almshouses and the machinery for distributing temporary relief to the poor, and if possible, also with the voluntary schemes, the charitable and benevolent societies of a community. Thus would be obviated the before mentioned difficulties, and there would be secured more economical administration, increased measure of success in the special object of each and of all, also the probable introduction of new measures to staunch the source of those evils that seem to threaten with moral ruin the society of large cities.

As the centralization of authority is essential to the wise management of all our charities and other institutions of society, so in the administration of each department thereof, the same principle should be applied. A competent, responsible head to these prisons is required for their success in both their pecuniary and moral departments. Such chief officer should be held to strict account and thorough supervision, but should not be hampered by the direction of the supervising board in matters of detail. While he should be of flexible temper and ready to learn, he must have scope enough to enable him to imprint his personality upon the establishment.

It is observable in existing institutions, that while substantially the same rules and regulations are adopted throughout them all, they differ materially in their inspiration and in the practical results attained. More depends upon the personal influence of the chief officer, than upon the most carefully devised system; as in society there are various social forces for the elevation of man, their efficiency depending upon the personal influence of Christ who works through them. So the effectual agency of *every* human contrivance for this end must be largely influenced by the spirit of the directing mind, and the highest reformatory results may be expected in proportion to the similitude of this mind with the mind of Christ. Nay, more, in proportion as His mind is received and gives direction to the establishment.

The administration of a prison, centreing thus in the chief officer, for the immediate purpose of the reformation of the inmates and



motely for prevention of crime, to be well in hand, should lie dis-ictly in mind in the following divisions: (1) The financial depart-ent, including all expenditures and the employment of the prisoners r income sufficient to support the whole establishment and develope s full design. (2) The department of discipline and police, designed) accomplish the security of the prisoners, their efficiency as an idustrial corps, and their prompt, cheerful obedience to the rules nd regulations of the establishment. (3) The reformatory depart-nent, embracing all means used for the intellectual improvement and noral elevation of the prisoners.

These three departments must receive simultaneous development, for if either is neglected or unduly forced, the others, and the success of the institution as a whole, must suffer therefrom. It is frequently put in the reports of prisons that draw heavily upon the public purse for support, that they "are not established to make money," that the reformation of men is their design, and the pecuniary cost is of small moment if they are successful in this direction. I affirm that reformatory efforts and results are as marked and satisfactory in prisons financially successful as in those that are not; and that the public will not long tax themselves to pay for the educational and moral culture of criminals. If these are not provided for in the inherent income, they must degenerate into safe receptacles for the dangerous members of society, viz., jails. The annual application to the Legislature for large appropriations for prisons may for a time attract little attention, but will sooner or later elicit discussion and enter into the crimination of political parties, thus leading to a change of officers with every change of political power, which all admit is destructive to reformatory effects.

On the other hand, the thoroughness, system and good government requisite to financial success tone up the establishment and put it in the best possible frame for reformatory work. The cheerfulness and good temper required in an efficient working force of prisoners is *prima facie* evidence of reformatory progress, for this is secured by those truly kind measures incident to reformatory effort. Wise management of the pecuniary interests of a prison not only does not hinder this work, but actually promotes it.

An experience of years in the employment of prisoners under the contract system, and also directly for the State, inclines me to the latter as most likely to secure the required income and facilitate the higher object of reform. The precise nature of employment most desirable must be governed by the market to be had, the number and character of the prisoners, and the qualifications of the directing head of the establishment. Ordinarily there ought to be no

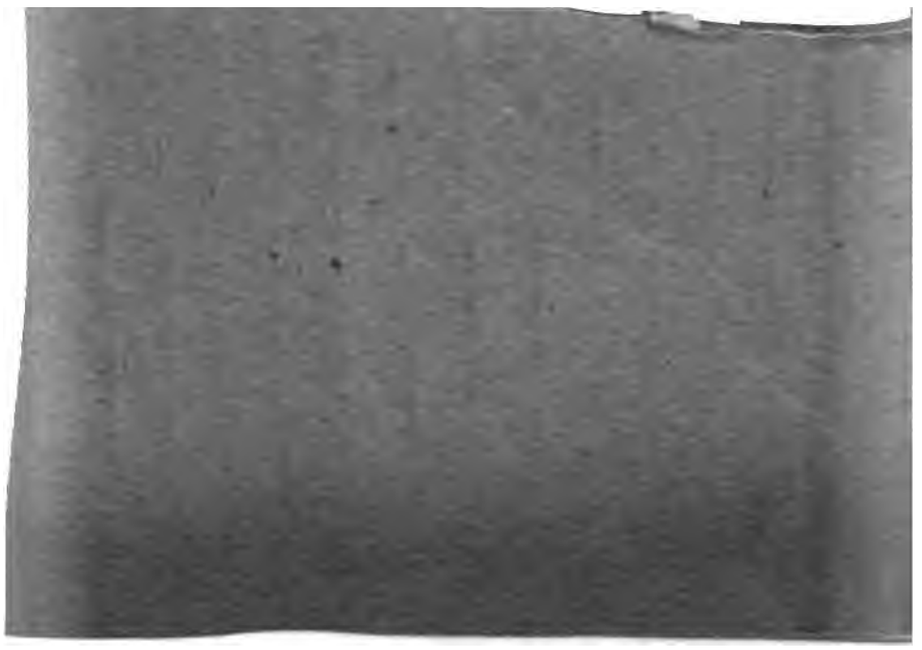
difficulty in supporting these institutions from the earnings, for buildings are provided rent free and the cost of living is no greater, *i. e.*, for the necessaries of life, than for the same persons as citizens. This of course upon condition that the usual employments of the manufacturing classes are open for prisons.

The expenditure should be carefully guarded; a coarse diet of substantial and wholesome quality and sufficient in quantity to meet the demands of appetite should be supplied (the criterion being the observed physical condition of the prisoners and not always their representations), and no departure from this rule should be had except in case of sickness, or as an inducement for self-improvement, and this only in exceptional cases; for departure from this principle leaves the subject of diet to the whim of an individual or board, and a kind-hearted "namby pamby" caterer will unnecessarily increase the cost of maintenance, interpose obstacles to good discipline, and often subvert the end in view. Clothing should be of durable material, sufficient changes provided to ensure cleanliness and a decent appearance, no distinctive prison dress of very marked character should be allowed, except possibly at the beginning of the term of imprisonment; when a man makes an honest effort toward manliness his clothing supplied by society should not be made a hindrance.

The ratio of officers to the whole number of prisoners depends largely upon the arrangements of the buildings and appointments, the nature of the employment and distribution of men in the several departments of industry, and the duties required of the officer; hence it cannot be stated so as to be generally applicable. The subordinate officers of a prison should be young men of average physical proportions, yet not boys; men of good character and habits, who are thoroughly honest from principle, naturally observing, quiet, cool, courageous, faithful followers of the directions given them; not reformers, religious enthusiasts, unsuccessful business men, or politicians; men who know how to obey and who are never guilty of a covert act however trivial; practical men of sound common sense, not too elaborately educated. Such may be secured for a moderate sum, if at all, and are most useful for all departments of the administration.

The discipline of a prison consists of the rules and regulations for the government of the prisoners, their obedient regard and attention to them, and the means by which this is secured.

The rules should be few in number, generic in character, of benevolent design, and so framed as to appear reasonable. Rules preventing or regulating communication among prisoners, impeding and controlling their locomotion, to secure their personal cleanliness



nd the good sanitary condition of the prison, good order and thorough ystem, will comprise all that are needed. Rules of a prohibitory ype, preventing and punishing insolent demeanor, are perhaps neces- ary, but those prescribing the carriage and deportment of prisoners are objectionable. Satisfactory behavior in this particular will be secured without difficulty, if the officers are really worthy of respect and superior to the prisoners in the quality of their character; and when this is not the case, as must sometimes be, it is best maintained by rules governing the *officer* and limiting his conversation and contact with them; indeed, the intercourse of subordinate officers with the prisoners should generally be confined to courteous business intercourse, such as an employer and his employés would have; this at furthest, and a closer limit would be better. I am not in favor of those rigid rules that hold a prisoner's eyes upon a given spot from morning till evening, or that punish him for the play of a pleasant smile across his countenance. Rules should be flexible, tolerating a reasonable interpretation and a generous application. Prison officers will do well to remember the adage,

> "He's a fool who has no rule,
> And yet a fool who lives by rule."

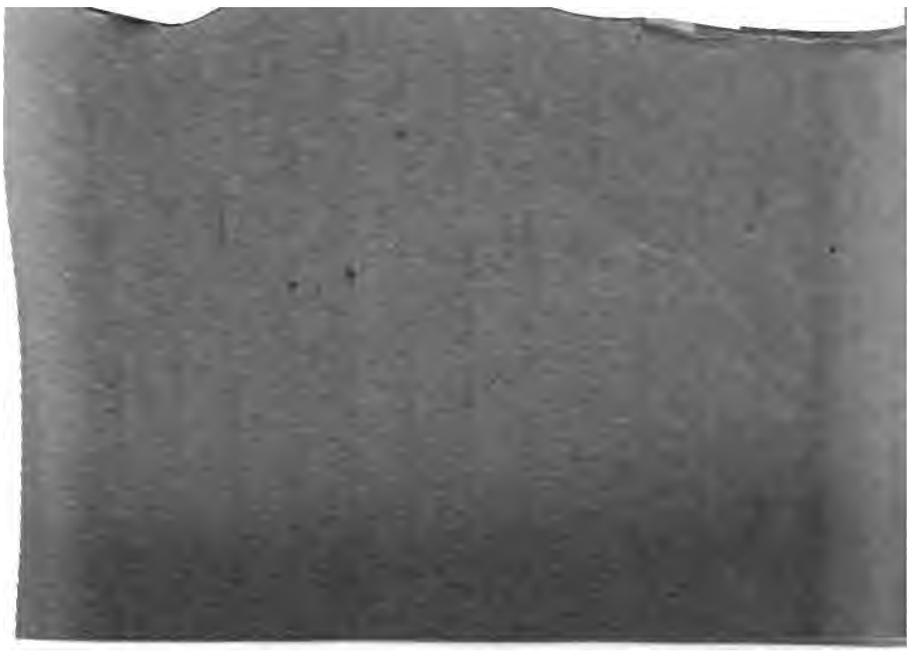
Such rules, thus explained, must be obeyed. The officer who, through indolence, timidity or favoritism, tolerates determined opposition to a rule on the part of a prisoner, should be dismissed at once and disgraced among his fellows. The thorough subordination of the prisoners must be maintained at any cost and all hazards. This is indispensable to safe keeping; without it no system of successful industry can be maintained, and all effort for their education, elevation and reformation will be ineffectual.

A cheerful, prompt, uniform obedience to reasonable regulations is the desideratum of the department of discipline and police, and the means and methods used for obtaining this are found to depend much on the purpose for which it is demanded. If the demand is mercenary, then peremptory, sharp, severe measures are likely to obtain; if to gratify the natural love of authority, order or system, there may be more refined and skillful appliances used, but still cold, calculating, if not cruel; if for the purpose of making men better, then are the means and measures adopted most sure to be the very best that can be desired.

The means for enforcing discipline are rewards or inducements, and retributive penalties. No list of penalties for specific offences can be prescribed, for the character of the offence is governed very much by the character of the offender and the circumstances that attend it, and no two are entirely alike in these particulars.

Privation of indulgences, beyond the bare necessaries of healthy existence, should precede confinement in a solitary apartment; the shower bath in mild form, the appearance of severity, and in some cases severity itself, is warranted. These more active measures of coercion are called into exercise chiefly by the stupid and heedless. Their continued dissipation having rendered them inert, they are powerless to overcome habits of shiftlessness and indolence without the aid of extraneous force, and sometimes this must be applied in the form of temporary physical suffering. As before stated, however, full ninety per cent of all prisoners may be governed without resort to penalty, save occasional privation of accustomed privileges in exceptional cases.

The application of any system of rewards is a delicate duty. If no higher motive to good conduct is presented than the hope of reward, it is clear that men cannot be very much elevated in the elements of their character. They may thus acquire habits of respectable behavior; but when there is again presented to the mind the hope of reward for misconduct, the habits of the former life usually outweigh the habits acquired in prison, and they are swept away into vicious and criminal indulgences. There is a wide difference between good conduct in prison and a really improved character, and it is apparent to the practical mind. The cultivation of good character implies the practice of self-forgetfulness and self-sacrifice; but the observance of given lines of conduct for the hope of reward weaves into the character selfishness — an opposite element. This difficulty may be overcome practically, if not in theory, by offering the inducement of rewards for progress in the culture of the qualities of being, and they may be urged to good conduct as one of the means to accomplish this end. Also, where one is indifferent and not easily roused, rewards may be offered as inducement to commence, but should be withdrawn in this form as soon as higher motives may possess the mind. I doubt the propriety of spreading upon the statute-book a system of rewards for given conduct; it would be far preferable if a supervising board or officer could be intrusted with their application to individuals upon the principle indicated. The free use of rewards in the discipline of a prison will necessitate a new classification of the inmates, separating during the hours of labor a small number from the others; for while rewards stimulate the many to good, the few constituting the worst element are stimulated to evil, and the rigid rules required for the whole, if associated, are incongruous to the new system. The nature of rewards, like that of penalties, must depend upon the character of the subject in hand, and cannot be prescribed beforehand for uniform



›plication. Yet I will state the following, which if wisely used, are ›propriate:

1. The hope of release from imprisonment upon the one and only ondition of improved character, which condition may be supplied ›y legislation in connection with the organization.

2. The privilege of overwork; the amount so earned by prisoners ›o be paid to their indigent or dependent relatives at any time, or to themselves personally, at the expiration of sentence.

3. Admission to the lecture course, to the library and reading-room, all of which should be provided.

4. Extraordinary privileges of diet and clothing in exceptional cases.

The obedient regard and attention to the rules and regulations of a prison by the prisoners is best secured, however, as a collateral effect of wise measures for their moral renovation and reformation.

The renovation of a character debased and imbruted, which sometimes occurs, is a moral miracle, and attests the divine agency, for God alone can recreate one so that he may be said to be a "new creature." Yet he has committed this treasure to earthen vessels that the excellency of His power may be known. That reformation of life and manners which follows the application of social forces by human agency is at once the process and the evidence of God's renovating work. This process is almost always characterized by the following mental phenomena: The conscience hitherto dormant is aroused; where there was apparently no moral sense, there comes a consciousness of wrong as pertaining to practices and character; this is succeeded or accompanied or preceded by clearer views of right, both as it relates to one's acts and inward state; and from this beginning there grows an ever widening difference between right and wrong in the appreciation of the man, until they seem separated by an impassable gulf—Christ and Satan impersonating the two principles, when the will becomes stimulated to judge, decide, choose between them. Thus one is convinced of sin, of righteousness and of judgment.

There are two kinds of appliances that stimulate and aid these experiencies in the minds of prisoners; those of an educational type, and others of purely religious caste.

The effect of educational lectures, carefully prepared and well delivered, is found to excite the dullest intellect with a desire to know, and the most dormant conscience with an interest in principles which, if followed up, must lead to the examination of the principles of good and evil in their practical relations. These lectures are also the very best means for creating a demand for primary instruction and a library.

A successful method for instructing adult prisoners in the rudiments of learning has not yet been brought out, though enough has been done to demonstrate that it cannot be upon the old plan of teaching letters and syllables arbitrarily, but must be akin to the word-method of more recent origin — oral and didactic.

The library should consist of three classifications of books designed for three stages of intellectual development, each containing biography, history, travels, scientific, religious and miscellaneous works, all fresh new books selected from time to time as they are wanted, and when possible, for the particular needs of individual prisoners. It should be distributed under the minute direction of the chaplain, and for the purpose of aiding the educational agencies and his own religious efforts. The power of a library for good will be in proportion as the books are wisely selected and distributed, and according as the lectures and religious addresses are successful and incite to thought.

The means for direct religious effort are, preaching, prayer, and personal persuasion.

I have listened to more than a thousand religious addresses or sermons to prisoners, and am forced to believe that not one in ten was of any other value to their moral improvement than as a part of a religious service or ceremony, which may or may not have exerted a temporarily subduing or solemnizing effect. Thoughtful discourses on the central truths of the Gospel pungently put, and in plain language, are powerful; but doctrinal dissertation, noisy exhortation, or wordy invitations to "come to Jesus" are usually powerless. The intellectual capacity of prisoners to apprehend ideas is often undervalued, and their appreciation of the good and the beautiful and of illustrations drawn from the higher walks in life, is apt to be overestimated.

Thorough preaching is required, for prisoners are incredulous and will not be influenced by what they consciously do not understand; the use of hacknied theological phrases, without distinct definition, will not do; skimming the surface of difficult questions, diving under or driving around them, cannot be done; they must be laid open, probed to the centre, made plain, or they will prove stumbling blocks to many. High truth should be presented in a simple, earnest, straightforward way — their minds brought into contact with God in the various expressions of Himself, as well as in the history of Christ. The preacher to prisoners, to be successful, should know the mind of his auditors, and must know experimentally Him whom he declares, be thoroughly in earnest and fully prepared; for there is no place where his power depends more upon what *he is*, where he is so transparent, as before an audience of prisoners.



Public prayer, daily, in the presence of all the prisoners, is proper
ıd is useful until it degenerates into mere formalism, which it is very
›t to do. Occasional prayer-meetings, led by the chaplain, are of
ery great service to the growth of religious life among the prisoners,
ıd can be had without injury to the discipline; private prayer,
'hether offered for them alone or in their presence, is a power, and
s indispensable to any form of successful religious work.

The power of personal persuasion has not yet been fathomed, but,
n my judgment, it takes rank of all the rest, and, when wisely and
faithfully worked, in connection with prayer, preaching, and suitable
educational effort. These, aided by a congenial disciplinary regime
and good business management, with the prison properly located,
constructed, organized and supervised, all for the high design of
reforming the prisoners and through their reformation to exert upon
crime a repressing influence and deterring force, constitute a system
of prison administration promising the best results.

The consideration of the duty of society to discharged prisoners is
properly a part of the subject treated in this paper, and attracts my
pen; but I forbear, hoping on another occasion to present some sug-
gestions on this, and also as to the treatment of the pauper class.
These topics may form the theme of another paper.

Z. R. BROCKWAY.

DETROIT, *November*, 1868.

XXVI. CALIFORNIA PRISON COMMISSION AND DELAWARE CRIMINAL REFORM ASSOCIATION.

By the Corresponding Secretary.

The California Prison Commission, organized in November, 1865, has issued its third annual report. It is formed on the general model of our own association, and carries on its work with great zeal and energy. It has already become a power in the State. The following facts are gleaned from the report:

"The work for the year may be summed up in statistics as follows: Number of prisoners conversed with in pursuance of official duties before or after their discharge, 1,378; whole number of interviews with these, 3,187; number assisted, 294. The assistance has been rendered as follows: By supplying legal counsel to 137; by securing release from imprisonment or mitigation of punishment for 57; supplying board to 41; supplying money to 71; supplying clothing to 11; supplying medicine and medical treatment to 1; supplying means to leave the city to 56; securing restoration to citizenship for 2. The money advanced to discharged prisoners has eventually been returned in four cases."

The commission procured important legislation bearing on the prison interests of the State, and is evidently making its influence for good felt in many directions.

A similar organization, under the name of the Delaware asociation for criminal reform, was effected last year at Wilmington, Del. Its objects are, "under legislative authority, to visit and inspect prisons throughout the State, and recommend measures of reform in prison discipline, to render proper assistance to persons wrongfully imprisoned, to promote the reformation of convicts in confinement and when discharged, to alleviate hardships in the families of criminals, and to prevent crime by efforts directed to its causes."

The spirit of the association, its intelligent grasp of the subject, and the judicious as well as comprehensive manner in which it proposes to go about its work, very clearly appear in the following extracts from an address which it has issued to the people of Delaware:

"It is not our design to interfere with the constituted authorities in the management of prisons, but, under legislative charter and authority, to have the power of entrance and free inspection of the

sons of this State, such as is freely granted in other States where
ch associations have been long established and carefully aided by
e power of the Commonwealth.

"The value of such visitation and inspection by a body of men
ho have made it their business to become acquainted with the best
ıethods of conducting the workings of prisons, who are competent
› suggest improvements, remedies of defects, and appliances to aid,
ncourage and stimulate those in charge, cannot well be overesti-
nated.

"This work, to be done at all, must be made a pronounced object
and be put in the hands of those who are willing to assume the
responsibility. It lies outside the usual drift of public thought or
care. Beyond a very small number, the life of a prisoner is wholly
unknown. How confined, in what apartments, how fed, how he
sleeps, how employ himself? — these are questions, to which scarcely
one in a thousand would be able to give the beginning of an answer.

"To bring into existence a body of men and women interested in
prison life, who shall make it their business to visit, inspect and
make themselves acquainted with the conditions and workings of
these public institutions, and who shall bring practically to bear the
knowledge and experience they have acquired, is another of the
designs of this association. Prison discipline has been reduced to a
science; its literature makes in itself a library. We desire that our
State should avail itself of knowledge which has become at once so
extensive and so useful.

"The association aims at the *personal reformation of criminals.*
In his confinement the prisoner is at once shut out from the moral
and religious appliances which are so easily at hand outside the pri-
son walls, and, where no such organization as that we seek to estab-
lish exists, is left to the precarious and infrequent sympathy of the
very few who may happen to think or be willing to give time to
attend to him. This usually amounts to but little. The long days
of confinement are passed without the companionship or even pres-
ence of the good, with only that of the vicious, without books or
papers to beguile the tedium of confinement, often without employ-
ment, left to his own sombre or revengeful reflections, and under the
impulse of untrained and demoralized thoughts, the prisoner is free
to meditate new schemes of vice, to be carried into execution on his
liberation. "It is next to a crime in a community not to endeavor to
change all this, and to put within reach of the convict employment,
educational and moral influences, and to render the atmosphere of
his prison not all depressing and poisonous, but, if possible, elevating
and purifying.

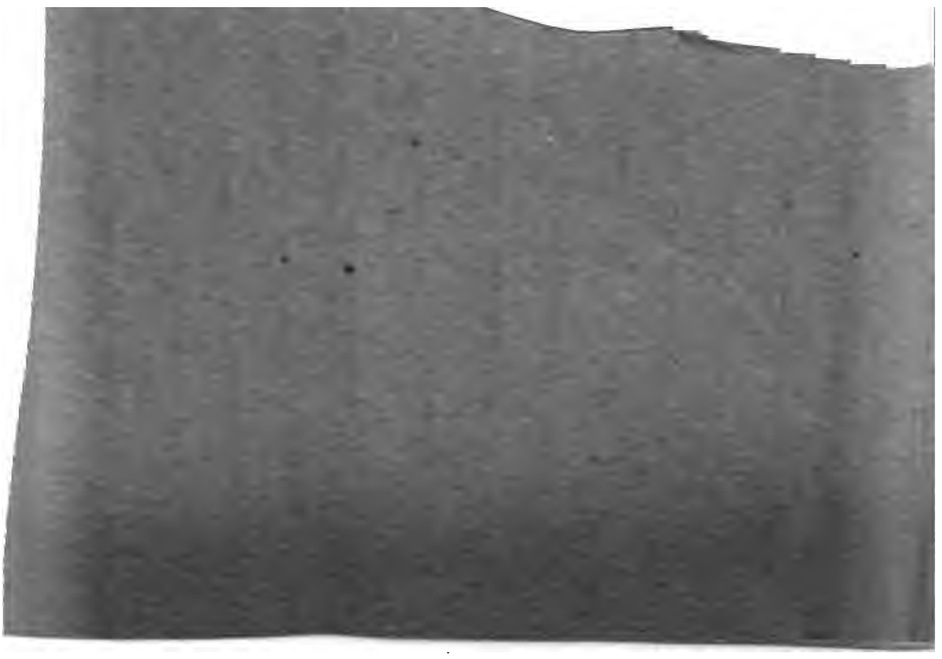
"The second article of our Constitution speaks of rendering *proper assistance to persons wrongfully imprisoned.* The cases covered by this clause are of a very numerous and distressing character: seeking them out and helping them, constitutes a considerable portion of the work of such societies.

"Persons are very often arrested and committed to prison on false or malicious accusations, and after a longer or shorter confinement are discharged without trial. They have been taken from their homes and families and business, confined in the company of the vicious and the vile, and after months of suffering are discharged with the taint, the disgrace, and perhaps the corruption of the prison upon them, yet wholly without redress or compensation. They may be not even accused of crime, may be merely witnesses held for their evidence, yet are made to endure all the disgrace of prison life. They go into confinement perhaps young and pure, and come out hopelessly ruined by the vicious teachings and influences to which they have been exposed.

"A short time since the writer of this found on the records of the jail at New Castle the cases of fifteen persons who, *at one term of the court*, were discharged, after having been in prison from two to six months, without trial. Several of these individuals were mere children, one a widow with unattended children at home, and all confined on accusations never substantiated and never called even for trial. The accusers had gratified a temporary passion or malice, or had obtained revenge, while the poor victim, because poor and friendless, had suffered the sorrow and the loss. Such cases of helpless and friendless suffering, under such flagrant injustice, appeal most strongly to every friend of humanity and righteousness. To create friends and help to bring such cases to the notice of appropriate authority and obtain justice for them, is a matter which commends itself in our organization to every benevolent mind.

"Our Constitution speaks of the *families* of criminals. Here is a subject seldom thought of by the public; attention, if given at all, is fixed on the culprit. He is justly convicted, sentenced, goes to his long confinement and the case is ended, when the prison passes out of view. But there are worse than orphans and widows left behind to struggle without the help of husband and father. These are forgotten. Sometimes it is a mother. She may be wicked; she may have been justly committed, but outside are little children and a home. Who shall care for them? Cases of heartrending interest are constantly occurring of this nature.

"We hope, through the agency of this association, to care for such families; to provide them with homes in appropriate places, or insti-



ions, and to prevent the almost inevitable vagrancy and suffering l crime which await them, if no friend appears for their relief.

'The discharged prisoner is an object of deep and important inter-. His case demands at once care and sympathy. After months, it ay be years, of confinement, the doors are opened and he goes out a ee man. But how or where? The air of the prison is about him; ie fact that he is a discharged prisoner is sufficient at once to ex-lude him from employment; he is poor and without money, without ecent clothing and without friends that are friends. Whither shall ie go?

"By the dire necessities of his case, he is driven back to his old associations. Lost to all good friendships, the vicious companionships which led him into crime wait with open arms to receive him back and tempt him again. Perhaps the most of those speedy recommitments of criminals which shock the observer, are brought about by the absolute inability of the discharged prisoner to escape from such influences. Many a convict, desiring earnestly to reform, looks forward, not with joy, but with shrinking dread, to the day when his term of imprisonment ends, since he knows so well that he cannot resist the temptations which eagerly will welcome him the moment the heavy doors open before him.

"This association seeks to take such by the hand, speak words of hope and encouragement in his ear, provide him with clothing and transportation, send him beyond the reach of old associations and into new ones, obtain suitable employment, and so, under better auspices, help him to a better life.

"*To prevent crime by efforts directed to its causes:* under these general terms the association signifies its desire to direct its attention to the state of our almshouses and institutions of similar character. We hope not only to search out abuses, and to suggest and promote improvements in them, but to explore the wide field of vagrancy and pauperism, those fruitful causes and effects of crime. In this department of philanthropic effort a wide field opens and urgently demands careful study and earnest effort. The common interests of society and of humanity alike require them at our hands."

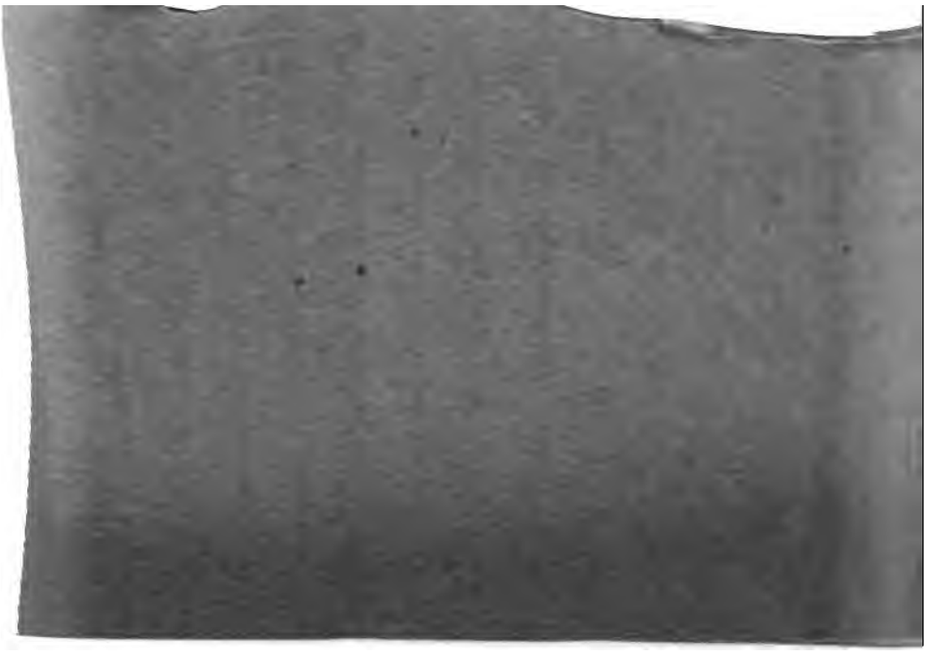
XXVII. DETROIT HOUSE OF SHELTER.

By the Corresponding Secretary.

This is a female refuge, established in connection with the Detroit house of correction. A somewhat extended account of the plan and objects of this institution was given in our last annual report. The building for its accommodation was erected, furnished and opened for the reception of inmates during the past year. The best idea of the aim and working of the institution during its brief history of two months, may be obtained from the report of Mrs. A. H. R. Wiggin, matron. She observes:

"The house of shelter opened on the 22d of October, 1868, but though open, cannot be said to be fully in operation, for we have received from but one of the several classes for which the house is designed, namely, those having served a term of imprisonment in the house of correction. We have considered it wise to test the influence of the house upon this class, before receiving others. Considering the element of character with which we have had to deal, the house of shelter has thus far been a fair success, so far as we can judge of the success of any enterprise of this kind in a little more than two months. There are three grades of the class thus far treated with which we have had to do.

"First, those who possess fair intellect, some culture, and have in early life been surrounded with the restraints and love of home. One case will illustrate the class in question, and the result that may be reasonably looked for from 'home life' in this institution. It is that of a girl twenty years of age, a native of Havana, from which place the parents removed when she was quite young. She was religiously educated, tenderly reared and loved, has good common-school education, with a knowledge of music. Soon after the death of her mother, the father married again, and the home became unpleasant. She determined no longer to submit to the abuses and indignities she was compelled to bear, and, under the pressure of extreme irritation, left home, became discouraged, and soon entered upon a course of life which resulted in her commitment to the house of correction, under sentence of three months or a fine. At the expiration of her term she avowed her determination of again entering upon the old life, as the only means then offered of obtaining a livelihood. Destitute of money, friends or home, she realized that the social ban was



on her; she courted death and destruction, and sought it in this ıy, knowing her race would sooner be run. At this critical moent, when her future course of life seemed fixed beyond hope of ıange, a home was offered her in the house of shelter, which she ıadly accepted. By reason of her superior intelligence and culture, nd the heartiness with which she enters into the daily duties of her ew home, she exerts a power for good upon the other inmates, at ınce of service to them and insuring permanency of progress in her ɔwn elevation.

"The second class are those who have had but little educational advantages, but are not viciously inclined, whose moral sense is clear and active, who only need judicious guiding and the stimulus of timely encouragement to keep and hold them. An interesting case of this kind is that of one who has just been provided with a good home in a Christian family. At two years of age she was left an orphan and for a time dependent upon the charity of neighbors, when persons, actuated partly by pity but more by selfishness, received the little wanderer into their family. Her most vivid recollections of childhood are of hardship, harshness, fear and toil. Possessing a nature capable of appreciating kindness and love, ardently longing for it, but being constantly repelled, the fine delicate feelings of her heart were crushed, and while yet a child in years, though old in suffering, she left the place which had been called home to provide for herself. More by the circumstances of her surroundings than from any inherent tendency to evil, she entered upon an openly vicious course, and was soon committed to the house of correction. She came to the house of shelter at the expiration of her sentence, giving evidence of her fixed determination to lead a respectable life. From the day she came among us, we regarded her as among our most hopeful cases; cheerful in disposition, full of life and native wit, her presence acted as a charm in the house. The readiness and rapidity with which she learned to read was truly surprising. She possesses qualities and capabilities which, if encouraged and educated, would have made her a noble woman, and, shielded by love and care in earlier life, she would probably have escaped the evils actually incurred.

"The third class, and by far the most numerous, are those who have never opened their eyes upon the world in an atmosphere of pure social life, who have known nothing but harshness, poverty and vice, whose natural powers are weakened, whose physical systems are diseased by inherited propensities and the continued practice of evil. With such, a life of sin and crime is almost inevitable, without some extraneous force of physical restraint, continued for a long time. In

exceptional cases only, do I believe such can be reached by any methods now practised. After spending the first fifteen years of their existence, the time when permanent impressions are made and life-long habits formed, they have left no conscious will-power and little moral sense; they are corrupted and enfeebled in mind and body, and are not, as a class, capable of being permanently *held in contact* with better influences, except under compulsory restraint, as before stated. For such, the house of shelter can do but little; the truth of which assertion has been proved, as far as our short experience can prove it, in several instances. After the novelty of their new life has worn away, they sink to their own level in spite of the best efforts we can make to prevent it; they long again for the old excitements, and return to them only to be checked by the interposing arm of the law. With them a life of degradation is a moral certainty for a few years, when their miserable existence is terminated by death. No more humane movement could be inaugurated and carried out than to forcibly restrain such for an indefinite period (until such restraint can be safely relaxed), where the needs of their condition shall be ministered to.

"For the first and second classes named, there is every hope and encouragement to labor. I firmly believe they can be saved to themselves, to society, and for Heaven, through the forces that are centred in this and similar 'homes.' These forces are personal friendship, home life, divine love. Those who are not susceptible to religious means can often be moved by *human affection*. If we can succeed in attaching them to *ourselves*, it is comparatively easy to procure the transfer of that attachment to Him to whom it belongs of right.

"'Home life' is powerful; for those whom we seek to benefit are what they are, more from the absence of pure home life in childhood, than from any other one cause. A home well governed and ordered, where habits of regularity and industry are maintained, enlivened by cheerful and attractive amusements, where the domestic affections are encouraged and given play, exerts a restraining, guiding and purifying influence, stimulating the nobler feelings to action. This 'house of shelter' home will be the spot around which the thoughts of many otherwise homeless ones will cluster, and to which they will delight to return in after years. Love, as exemplified in a truly Christian home, is, next to the personal influence of loved ones, the strongest force to hold to virtue the wayward wanderer. The influence of a single word often brings up memories of such a home, even amid scenes of dissipation, and stirs the better nature otherwise obscured.



"But far transcending all other agencies is the power of God's love, manifested in the life and love of Jesus Christ, to reclaim and hold ıese hearts. This *love* He has committed to us to wield for others, ıd our own devices and efforts will be successful in proportion as ıey are inspired by Him. We may be gifted to please, apt to ıstruct, wise to guide, and imbued with a deep, strong love; but the eal power is of God



XXVIII. REPORT ON STATE PRISONS.

By a Committee.

The undersigned, a committee appointed by the New York Prison Association, under chapter 717 of the Laws of 1868, to examine into the financial condition of the State prisons and the reformatory agencies employed in them, would respectfully report:

During the summer of 1868, three or more of our number have visited each of the State prisons, have inspected them, and have called before us such of the officers and such other persons as seemed expedient. We also carefully examined the accounts and inspected the books of these institutions.

Extracts from the testimony taken are subjoined, as well as such documentary evidence as seemed material to be published. We would also respectfully refer to evidence bearing on the same general subject, heretofore obtained by the agency of the New York Prison Association, and which it did not seem necessary to take again. This will be found in our twenty-second report, for the year 1867, on pages 318–498. We shall in the course of this report make some reference to the testimony there taken, as well as to that now submitted.

The results of these various items may now be grouped together in the following order: Part first, Finance; part second, Reformation.

Part First — Finance.

This branch of the subject we propose to treat under two divisions: I. General financial considerations applicable to all the State prisons. II. Special remarks upon individual prisons.

Division I.

Under the first division we shall examine—

Section 1. The influence of the contract system, considered financially.

Section 2. The political relations of the prisons to finance.

Section 3. Other considerations of a financial character.

Before entering upon the conclusions to be derived from the testimony, it is proper to give a sketch of the witnesses examined, and the opportunities afforded to them for an understanding of the subject. The classes of persons examined were ex-State prison inspectors, prison officials — such as wardens and ex-wardens, chaplains, physicians, clerks, teachers, storekeepers, keepers, contractors and

contractors, foremen — and a few citizens of other callings, but miliar with the subject. There is no witness who speaks simply m opinions formed as an expert in matters of prison discipline, t all testify from their personal experience and observation. More ecifically, the committee examined Dr. Bates, formerly State prison spector; Morgan Augsbury, ex-warden; A. G. Salisbury, present arden at Auburn; Rev. J. B. Smith, chaplain at Sing Sing; Rev. os. A. Canfield, chaplain at Auburn; Matthew Benson, principal eeper at Sing Sing; M. V. Bates, principal keeper at Auburn; Drs. Smith, Button and Pryne, physicians respectively at Clinton, Auburn nd Sing Sing; Messrs. Dunn, Williams and Walker, contractors r ex-contractors; with the clerks and one or more keepers at each prison. There was no official source of information open to the committee which they did not seek to explore. The results surprisingly confirm testimony heretofore taken. The evidence bears unmistakably the stamp of truth. We are constrained to believe, from hints and glimpses obtained, that the worst features of the case have not been fully disclosed. We desire to understate the effect of the testimony, rather than to exaggerate it. Any impartial reader, we think, will be convinced that nothing effectual can be done for our State prisons, except by thorough regeneration in theory as well as in practice.

Section I.

The Influence upon Financial Management of the Contract System of Labor.

By the contract system is meant the act of letting, at a fixed sum per day, for a limited period, the labor of convicts to certain persons, called contractors. It is the duty of the agent and warden of the prison, when necessary, to advertise for sealed proposals for a certain number of men to be employed by contractors, say for five years, at a particular occupation. The State, on its part, furnishes the shops and the means for heating them, together with keepers to control the men; the contractor provides materials, machinery with the means of its propulsion, and citizens as instructors of the convicts, in the different branches of the business in which they are employed. In some instances, citizen mechanics are introduced into the prison by the contractors to aid in some portion of the work.

It is only necessary to consider this system at present with reference to the penal institutions at Auburn and Sing Sing, as it is no longer in operation at Clinton.

The financial effect of the system may be considered under the following heads: First, direct effect upon the financial interests of the



State; second, indirect effect in its influence upon warden, keeper and prisoners, in lowering the general tone of the prison, and thus impairing efficiency both in superintendence and labor.

1. *Direct Influence of the Contract System.*

Theoretically considered, the contract system has a measure of plausibility. It appears, on various grounds, that it is inexpedient for the State to manage the labor of its convicts. The imposition upon the warden of the double duty of carrying on prison industries and conducting the discipline would seem to overburden him. On the other hand, the introduction into the institution of an independent superintendent of industries, might lead to an unseemly and injurious conflict between persons having in some respects co-ordinate power. The State, too, it may be claimed, in this way comes into the labor market as producer, and thus contends with its own citizens, reducing by its competition the profits of their labor, and perhaps, in some instances, by forced sales, artificially depressing the price of manufactures. Men familiar with political economy may also urge that the State is but a poor promoter of finance, that its productive methods are expensive, and that its whole management of industries is inefficient.

It cannot be denied that there is force in these considerations, and that plausible objections can be raised to State management. But, it must always be remembered that the question is not whether the State shall engage in productive labor which it is at liberty to decline. It is rather the problem of how a master shall occupy the time of servants whom he is *obliged to employ*. It may be likened to the case of an unwilling slave proprietor, who has persons on his hands who must be employed, whom he would gladly discharge *now*, who must be discharged *at a future day*, and whose instruction and education in morals, necessary to their coming freedom, he must care for, as well as his own profit. It is impossible for such a proprietor to consider the financial question *alone*. He must regard all the questions which present themselves with an eye to the best good of his employés and to the welfare of society on whom they are soon to be cast, as well as to his own pecuniary advantage.

It is in this broad light that we shall consider the contract system, and while it is our duty, as a committee charged with this subject, to make the mere financial aspect of the case most prominent, we do not intend to lose sight of nor to dwarf the other considerations pressing upon our attention.

The direct losses to which the State is liable, through the action of contractors, are mainly derived from the following sources:

1. The power of the contractor to exact a low rate of wages for men that he hires or other favorable conditions in the contract.
2. Reclamations, on his part, for real or exaggerated claims for damages, occasioned through the alleged action of the State.
3. Bad debts and cancellation of contracts.
4. Corruption of keepers.
5. Sale to the State, at an exorbitant price, of his property or rights under a contract.
6. Overwork and its effects.
7. Want of classification among convicts.

We propose to consider these several points in their order.

1. *Low Rates of Wages.*

The mode in which the labor of the men is obtained at too low a rate is either by combination among the contractors themselves, stifling competition and leaving the State at the mercy of some one or two of them, or else by favoritism on the part of the State officers in making the contracts. In this manner, unusually and improperly favorable clauses are sometimes inserted in the contract.

We do not deny that convict labor is not in itself equal in efficiency to free labor. This concession involuntary labor always makes to freedom. Moreover, many convicts are weakened by dissipation and vice in all its forms. But with all due abatement on these grounds, the enormous disparity between the compensation received by the State and that which is paid to a citizen cannot be accounted for solely in this manner. On the contrary, favored contractors know how to secure the most valuable contracts.

If we now recur to the evidence, we find these points established. Mr. G. W. Hubbell* testifies that convict labor is commonly worth seventy per cent of free labor. And yet Mr. Salisbury informs us, that at Auburn "one sash and blind contract" is let at 55 cents a day for 100 men; the "hame" contract for 58 cents per day; the "tool" contract at 73⅓ cents for 100 men; the "cabinet" contract at 67 cents a day for 75 men; the "shoe" contract at 40 cents a day for 350 men!

The profits that are made on some contracts at those prices are shown by the evidence taken on the claim for damages under the abrogation of the printing contract. The evidence was, that the men were let at 60 cents per day; proof was made that they actually gained for the contractor from five to six dollars per day, deducting 10 per cent.

*This testimony is in Mr. H.'s evidence in 1866, and not on the present investigation.



Moreover, the contractors often succeed in having men rated as half-pay men or quarter-pay men. Mr. Salisbury testifies that on his accession to office he found men of this class. Mr. Franklin, clerk at Sing Sing, testifies to the same effect. Mr. Augsbury, a former warden at Auburn, is still more specific. He states that when he went to Auburn as agent, in 1866, he found that, of 300 men on contract, about 40 were half-pay men, and he believes that some of that number earned full pay.

It would seem that prospective profits on such contracts would be a subject of competition among contractors. It is found, however, often, that there is no competition. The practical working of the arrangement finds clear illustration in the shoe contract at Auburn, let June 20, 1868, for three years. A prior contract to Dunn, Gage & Co. expired in January, 1868. These men were allowed, under the inspectorship of Gen. Barnum, to work something less than *two hundred and fifty men without pay*, from some time in January until about the 1st of April!* Mr. Dunn, the contractor, swears that no compensation whatever was made, directly or indirectly, to any one. The labor was presented to the contractors, and no proposition was made that they should take the men and pay monthly for them. Every one can draw his own inference from this statement. It was truly a princely generosity on the part of the trustees of the State, being fully equivalent to a gift of $200 a day! In June the men were let at forty cents a day. The advertised proposals required that at least 350 men should be taken, or none. There was no competition, and John Dunn was awarded the whole. At the time of taking the contract, he had an arrangement with Pancoast, Sage & Co., that they should take from him 100 men at forty-five cents a day, though his impression is that the inspectors did not know of this understanding. Dunn himself is of the opinion that the contract could have been let more readily in fewer numbers — say from 50 to 100 men. Why should not the inspectors have adopted a rule for their guidance, which the courts apply to all trustees, that they should take the same care of trust property as a prudent man would of his own? The labor of convicts is property — it is capable of sale — and inspectors are fairly held to the same measure of responsibility as trustees.

The mode in which competition in bids is sometimes stifled is well illustrated in this contract of Dunn's. He swears that he took the

* There is a material difference between the evidence of Salisbury and Dunn on this point. Salisbury swears that no work was performed for Dunn by these men after January, while Dunn himself swears that he had their labor gratis until some time in April.



ontract in his sole name, but that he had a previous understanding with five other gentlemen that they should have a share in it, and hat these persons are now *bona fide* partners; and that he had actually nade an arrangement with Pancoast, Sage & Co. to sublet to them 100 of his men at an advance of over ten per cent on what he paid. These parties might well afford to permit Dunn to be the sole bidder, when, by that means, they were certain to get all the men they wanted at less than half the real value of their labor, whereas, if they had all been competing in open market, they would have been obliged to approximate at least to the true worth of what they should get.

Another illustration is found at Sing Sing. Locke, an ex-keeper and formerly a butcher, states that having learned that beef was being supplied by the quantity at ten cents a pound, he offered the warden to supply as good at eight. This offer was rejected on the ground that "it was not worth while to bother about making a change." The witness testifies that he was satisfied that he could have made $200 per car load on his offer, and that a car load was needed about every nine days.

It further appears that in some instances the written instruments which the parties execute do not express the real contract between them. There is a "verbal" or oral understanding that, on certain contingencies, the written stipulations shall not be applicable. Mr. Salisbury informs us that while the "sash and blind" contract at Auburn calls for 100 men, only 60 men are employed; and that the contractors claim that there was a verbal understanding that they were not bound to take over 50 men, and that though a report of this claim had been made to the inspectors, they had taken no action.

So also A. Walker swears that in a certain contract of sale which he made with the inspectors, there was an oral understanding that if the comptroller did not ratify it, he (Walker) should have the contract back, with all the improvements. This growing practice seems to do away with the whole object of written contracts, and is much to be reprehended. No oral understanding of this kind is ever in favor of the State, but always enures to the benefit of the contractor, and enables him to evade the positive provisions of the writing.

There is also another fact that deserves notice in this connection, which is, the loose manner in which written contracts are sometimes made, and the absence of all the ordinary safeguards against fraud. All prudent lawyers, in making a vital interlineation in a written instrument, note it in the attestation clause, or in some other appropriate manner. Yet the whole claim for damages under a contract recently abrogated by the Legislature turns upon the effect of a



single interlined word, without any notice of it in the instrument. We refer to the printing contract of last year. There is a general clause in the contracts made by the inspectors that the contractors take them subject "to prohibition by law." Under this provision, there could be no claim by the printing contractors for damages. But it happens that the word "existing" is interlined in their contract before the word "law," in entire opposition to the general practice; and under this word they urge their claim. It is strange that the contractors were satisfied with a mere interlineation of such an important word, and doubly strange that the inspectors should permit so loose a method to be resorted to and one so open to fraud. It certainly would be possible for one who intended to create fraudulently for himself a claim for damages, when he found he had none, to cause such an interlineation to be made by some person having access to the contract. We charge no wrong in this case, though without the explanation of the contractor that it was done in good faith, there would have been grave suspicions attending it.

2. *Reclamations by Contractors.*

Cases are continually arising where, for some real or fancied injury, the contractor lays claim to damages. For the most part these claims are exaggerated; at other times they are no doubt just. In either case, if the State pays, the pecuniary loss is fairly attributable to the contract system. The misfortune is, that by force of the contract the State binds and fetters itself. Should its views of public policy change and the contract be abrogated, it must pay damages. In many of these cases, had the State itself employed the convicts, there would have been no loss, but a simple change of labor from one branch of business to another.

These views are extremely well illustrated by the printing contract already referred to. After the inspectors had entered into the contract, much public dissatisfaction arose that convicts should be employed in this business, owing to an apprehension that the compensation of printers might be reduced. These views prevailed with the Legislature, and the contract was nullified. The contractors have set up a claim for seventy-five thousand dollars damages — claiming that the men whom they hired for a few cents per day were worth several dollars. Had the State managed the industries, there would have been but a transfer from one department of labor to another, with such slight loss as might follow upon a sale of materials.

3. *Losses by bad Debts and Cancellation of Contracts.*

It not unfrequently happens that losses of this kind occur. Contractors accumulate arrearages which for a long time remain unpaid,



d are sometimes wholly lost. The working of the system in this pect is shown in several instances by the testimony. Thus the binet contract in the Auburn prison expires August 31, 1869. It as annulled for default in the contractor on the 20th of June, 1868. he contract was broken up, because the contractor was largely in rears, owing $24,744.25. At the time of the investigation, the spectors had settled the indebtedness by an indorsed promissory ote, which had gone to protest by their indulgence, though it was aid that the security was good.

So during Mr. Augsbury's wardenship, Fenton, a contractor, ailed, owing $10,000, which was only obtained by refusing to award a contract to him, unless he would pay up his past indebtedness. An inference as to the value of a contract which brought him to such terms can readily be drawn. What was worse, he owed each of the convicts whom he had hired for overwork, from one dollar down to a few pennies. The next contractor (Dunn) felt bound to pay these, as he says. Is it not probable that this "obligation" was taken into account in fixing the rate at which the men were let to Dunn, so that, practically, the whole loss fell upon the State?

The same state of things, or worse, is found at Sing Sing. After September, 1866, the owner of the "Walker" contract fell into arrears, with a balance against him of $7,597.96, nearly all of which was for labor. The whole amount is still due. There is also due on the auger contract the sum of $13,069.59, and smaller sums on others. We confined our inquiries to recent cases, and have no means of exact knowledge as to what has been the result in the past, though in general we know that heavy losses have been sustained. Dr. Bates, who was inspector for six years, expresses himself in this manner: "Under the contract system, if money is made, the contractor makes it, and in case of loss, the State sustains it, as the contractor does not pay."

4. *Corruption of Officers.*

It is plain that the self-interest of the contractor will often be opposed, in particular instances, to the discipline of the institution and the highest good of the convict. If the contractor is a man of determination, he adopts the one or the other of two courses; he either drives away the keeper who resists him, or resorts to the more quiet process of corrupting him. How much of this is done, it is impossible to say. Testimony on such a point is not easily accessible. There is enough evidence, however, to show that it exists. Some of this is in the form of rumor, and would not be admissible as evidence of a distinct fact in a court of justice. Mr. Augsbury (late warden)



states that he was informed by a foreman that a keeper was receiving pay from a contractor.

There is, however, testimony still more direct. Mr. Locke swears that he knew that certain contractors paid $20 a month to a keeper to secure greater vigilance and activity on his part in the promotion of their interests, and that he was once offered that amount himself, if he would leave the shop where he was and go to another. Mr. Wade, before a committee of the Prison Association in 1866, swore that he knew a keeper who received more money from the contractor than he did from the State in the form of salary; and that it was quite common for keepers to receive favors from contractors in the form of presents, loans of money, etc. Indeed, it is matter of common belief in the prisons that influence of this kind is freely used there.

5. *Sales to the State at exorbitant Prices.*

When the inspectors have made a contract with which they are dissatisfied and which is not prohibited by law, their only recourse is to buy out the interest of the contractor. He then sets his price extremely high; and the men whom a little while before he considered worthless and of no account, now become most valuable workmen, and his views of prospective profits kindle his imagination. He is determined, the inspectors are indifferent; he is prompted by self-interest, the inspectors have a languid sentiment for the public good. The stronger party wins, and the contract is sold at enormous rates.

This result is well seen in the sale of the Walker contract at Sing Sing. Alfred Walker made a contract, March 1, 1867, for working the quarry at Sing Sing. It called for 100 men, and was to continue for five years. This contract was owned in June, 1868, in equal shares by himself and Sands & Son. At that time he bought the interest of Sands & Son in the property and contract for $11,500, and thus became absolute owner. The estimate that the owners of the whole property put upon it was, that it was worth $23,000. Shortly after this, in the very same month, Walker made a bargain with the inspectors, acting as the agents of the State, to sell his whole interest for $125,000, thus obtaining $62,500 for what he had paid almost contemporaneously $11,500, and an equal advance for his own half interest. It is believed that no more stupendous profit has been made in this generation, when the amount of capital and the nature of the property are considered.

It is worth while to go a little more deeply into this transaction. It will bear study. Walker purchased the half interest of Sands, covering the property and chances of profits to accrue from the con-



ract, for $11,500. Sands swears, as will be seen in his testimony, hat he regarded that sum as a fair price for his entire interest in the concern, and considered himself fully paid for what he parted with. But no inventory of items was made out, no specification of the valuation put upon the particular parts or pieces of property and privilege, covered by the transaction. A few days afterward, Walker sold to the inspectors the whole of the property and franchises, valued by himself and his partner at $23,000, for $125,000, for which amount they gave Walker a draft on the comptroller of the State. But as there had been no inventory of items when Sands sold to Walker, so there w as none when Walker sold to the inspectors. The whole was lumped together, and a clear advance of more than $100,000 paid to Walker, over and above his own valuation made a few days before. This was done, too, in the face of a letter from the comptroller, under date of June 17, 1868, addressed to the inspectors, and lying open before them, of which the following is an extract:

"Upon reading the act in your presence, yesterday, I was of the impression, and so stated, it only required the consent of the comptroller that you should act, and I have not changed my opinion. But I am bound to say that the construction is not free from doubt, and it is possible that further reflection may induce a change of opinion; and whether I should remain of the same opinion or not, others, and especially the Legislature, who must provide the means of paying whatever shall be agreed upon, may be of opinion that the agreement, when consummated, shall be consented to by the comptroller. In this view, then, of the possible construction of the act, I venture to suggest some reasons why, in my judgment, no very considerable sum should be allowed the contractors as the value of the contract. The value of the machinery, buildings, etc., I assume, can very easily and satisfactorily be ascertained. The amount and value of such property cannot be very large. Then, as to the value of the contract:

"1. I am of opinion that the contract is without the authority of law and void. If so, it has no value.

"2. If the contract is valid, there is reserved in it to the State the right to work the quarries and take materials therefrom for 'State purposes,' which would secure the right, without compensation to the contractors, to take all the materials desired for the new capitol, or other State purposes; and I have no doubt the State would avail themselves of the reservation, if materials from the quarries should be wanted for the purposes named.

"3. I very much doubt whether the contract, if valid and exclusive to the extent claimed, is as valuable as is suggested by the contrac-



ı. It is not improbable that a business may be done with the ıber of men named under the contract, yielding a reasonable it; but I think the return would not be large to the contractor. expenditures will have to be large, for much of which no im- ate return will be made, but which will enure directly to the it of the State at the termination of the contract. All that is in opening the quarries, improving the grounds, erecting work- etc., and in opening a market for the products, will enure to enefit of the State, when at the close of the contract it shall the possession of the property, while much of the expenditure eld no direct return to the contractor, and cannot be repaid to any way.

the same time, it is safe to say that the operations, under the , must necessarily be limited, and a large business cannot be under it, in view of the number of men employed and the the contract.

iew of these facts and other considerations, I take the liberty ting that it is not probable that any agreement for compen- the contractor, which should include any considerable sum lue of the contract in view of prospective profits, would be by the Legislature, or by any one whose duty it may be to disapprove the terms of the agreement."

ɔe seen that the comptroller states that "the value of the buildings," etc., that is, of all the property, item by item, the sale, "can very easily and satisfactorily be ascer- ıd he assumes, as a matter of course, that it will be. Yet the kind was done. The round sum of $125,000 was concern in the lump, as if that amount was a mere trifle, l, without valuable consideration, upon a favorite. But the whole transaction is, that although the inspectors ıg of the full board to consummate the re-purchase of ınd did consummate it at the said meeting, as the evi- yet there is no record whatever, in their minutes, of , such as it was their duty to make; nor are the meeting signed by the members of the board, as is ach regular meeting. Is this business? Is this the ır their private interests?

Walker first appeared before the committee, he stated inventory of the property sold to the State, the half he had purchased of Mr. Sands, but said that he would paper for our use. At his second examination, some tated that he had not prepared the document yet, soon. We pressed him by repeated letters for the

promised inventory, and at length succeeded in obtaining it. An abstract of this paper is appended to Walker's testimony. It bears date June 27, 1867, but was not prepared and furnished to the committee till some time during the month of February. It purports to be a statement of the property bought by Walker of Sands, in June last, just as it existed at that time. The valuation then put upon the property in the gross, by both parties, was $23,000. This same property, in the document furnished to the committee, an abstract of which is herewith submitted, is swelled to the amount of $51,315_73; but even this sum, which is more than twice the value of the concern as fixed by the parties themselves at the first sale, when the negotiations were conducted on a basis of fact, is again considerably more than doubled when the State, through its chosen agents and trustees, becomes the purchaser. The whole thing affords a pretty exemplification of what can be achieved by the manipulation of figures, and of the mode in which values are swelled and augmented, when sham is substituted for reality, and when bargains are made by trustees who have only the interest of the public to look after, instead of persons who are transacting their own business, and whose wits are sharpened by the teachings of self-interest. The inspectors knew that, within a few days, Sands had been half owner of that property. Did they know at what price he had sold it to the man of whom they were purchasing? Did they make any effort to ascertain that fact? If they neither knew it nor tried to ascertain it, they confess themselves incompetent. If they were in possession of that knowledge, can they themselves claim to have discharged the trust confided to them with fidelity?

The draft to Walker was not paid. The claim is now before the Legislature; what disposition will be made of it, we have no means of knowing. As to what ought to be done with it, we have a very decided opinion.

6. *Overwork and its Effects.*

This system, which still prevails at Sing Sing, is described by Mr. Hubbell. It has no authority of law, but has been introduced by contractors, who brought in contraband articles to please the convicts and induce them to do extra work. The matter first received definite shape under the direction of Mr. Hubbell, then warden, who caused an account to be opened with each convict, and the fair value of his overwork to be credited to him. The evils produced by the former irregular practice were much mitigated by this regulation. Still, the whole system of overwork appears to be objectionable on several grounds. The true course is believed to be, to cause the convict to do a fair day's work, and then allow him a fixed percentage of his



earnings. In this case, the State prevents him from excessive exertion to which he may otherwise be stimulated, and shields him from the unwarrantable exactions of the contractors. It is in evidence that when a man has been induced by overwork to do an extraordinary day's work, the contractor will insist that he ought to do as much from day to day, and will also hold up the amount as a standard for other men. This naturally occasions discontent and ill-feeling, and sometimes leads to ill effects upon discipline. This in turn reacts upon the efficiency of convict labor. More specific details may be sought in the testimony of Mr. Hubbell, Dr. Button and others.

7. Want of Classification among Convicts.

Under the contract system, it is impossible to introduce any true system of classification. Men are placed in the shops because it is for the interest of the contractor that they should be there, and not at all for their own good. The young man who is guilty of his first offence and of whose reformation there is some hope under right influences, is placed side by side with the hardened criminal, from whom he takes more profound lessons in profligacy. Moreover, it is the interest of the contractor to make the convicts expert in but a single operation; to teach him in fact only a fraction of a trade. He will learn to drive pegs most skillfully, but he does not become a shoemaker. Though this tendency of the contract system may not have an unfavorable effect upon the productive power of a convict while in prison, it has a deleterious influence when he returns to society. He has not the same power for self-support, if honest; if dishonest, he has become an adept in villainy. On broad grounds, on the principle that a discharged convict should not become a burden upon society for his support or commit new crimes, we arraign the contract system as unworthy of further support.

Dr. Bates states that the want of classification is one of the great defects of the contract system. Of the same opinion is Col. Thomas, principal keeper at Auburn.

2. Indirect Influences of the Contract System.

Upon this branch of our subject it is not necessary to go into detail. It may be pointed out that when a warden finds a power within the prison which is antagonistic to his own, he may naturally be influenced not to place himself in opposition to it, and may wink at irregularities which, considered abstractly, he would like to avoid. Contractors or their foremen bring in contraband articles, and some times aid the prisoners in clandestine correspondence. Many evil influences of this and a similar nature are noticed in the report of

ie New York Prison Association for 1867, to which we would espectfully refer.

Section II.

Political Relations of the Prisons to Finance.

This topic affects all the prisons. The contract system complicates it; but were the State to take charge of prison industries, political influence would still interfere with efficient action.

This influence is mainly felt—

1. In the effect produced upon the inspectors themselves. They naturally regard their position as a prize gained in an exciting political contest, instead of considering it as a sacred trust. To them, the appointment of warden and keepers is a source of political power, rather than the means of promoting the interest of the prisons and prisoners. The financial returns to the State are secondary to the advantages which will accrue to themselves. Officers are thus selected without regard to their fitness or administrative ability, but on party or personal grounds. We do not assert that all inspectors are governed by such considerations; but the tendency of the system is in this direction, and the results pointed out do frequently and indeed constantly occur.

2. The influence thus operating on the inspectors is communicated to all the officers, through the *uncertainty of official tenure.* Every officer holds his position at the mere pleasure of a majority of the inspectors. As there are but three inspectors, the majority shifts from side to side almost year by year. This state of things operates injuriously in many ways. It prevents the growth in the warden of the spirit of self-respect and of independent action. His office hangs upon the slender thread of the inspectors' pleasure, or, what is more variable still, the political ascendancy of this party or that. Instant removal may follow the least dissatisfaction, and is certain to follow every turn in the political wheel. No charges need be made, no reasons given; the order of removal itself is all-sufficient. The interest of officers under such a state of things can be but slight. The salary is low, and but little administrative ability can be fairly expected. Men having such qualities would not naturally be thought of, or if they were, could not in general be procured. If they were procured, they would have little or no field for the display of their talents. The inferior officers are in many instances notoriously unworthy of their positions.

We now sum up briefly the results of the leading points of the testimony applicable to this branch of our investigations.

It appears that the inspectors do not examine men as to their qualifications, but that they are appointed on political considerations.



Unnecessary appointments are sometimes made for the same reason, and two men are employed to do work which should be performed by one. Thus the duties of store keeper at Auburn should have been intrusted to one man. It is stated that an incompetent person, supposed to be a relative of one of the inspectors, holds the office, while an assistant is selected to transact the necessary business.

Individual inspectors claim the right of appointment even to the highest offices as a perquisite of their own. Thus Dr. Button testifies that when, a short time ago, there was a vacancy in the office of agent and warden at Auburn, one of the inspectors claimed that the right of appointment belonged to him, but he had no man that he to present. Mr. Augsbury, then clerk, was appointed, with an understanding that he should resign in January, when Mr. Salisbury was expected to take the office. Mr. Salisbury did not come until a year later, when Mr. Augsbury was called on to resign, which he declined to do on the ground that the condition attending his appointment had lapsed by the delay. Thereupon he was removed, though there was no objection to him on the ground of fitness, and the inspectors offered to pass a resolution declaring his competency to fill the office, if he would resign.

It need not excite surprise that but little respect is paid by the inspectors to the orders of the men who are thus the mere creatures of their will. Thus Mr. Augsbury having discharged an employé who had caused convicts to do work for himself in plain violation of law, the man was reinstated by the inspectors' authority.

When an office of trust, like a State prison inspectorship, is regarded as a means of rewarding political friends or of obtaining political advancement, it is apt to be regarded in that light *only*. The performance of the duties of the position dwindles into insignificance, or even shrinks into nothingness. We might expect inefficiency of management and a want of disposition to use the energy which a private individual exercises in the conduct of his affairs. Thus Dr. Bates testifies that, in his opinion, all the men at Auburn could have been let on the shoe contract, with proper effort.

There were in Sing Sing, in April, 1868, from 175 to 200 men unemployed, and in November of the same year, 300. These were men not engaged on contracts, nor necessary for the work of the prison itself.

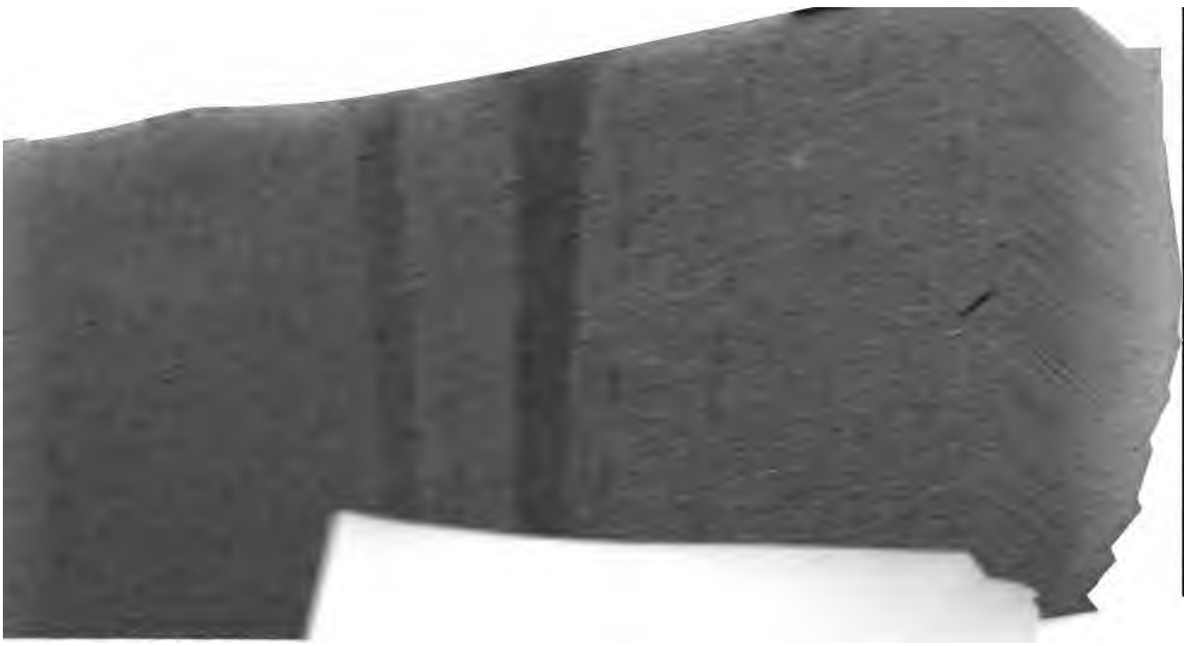
It will be observed that the men who work on the quarry are largely unemployed during the winter months. The evidence shows that these men could be occupied nearly all of the time, if suitable sheds were erected. Not only is the labor of a large number of men thus rendered wholly unavailable, but indirect consequences of an injurious

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ture follow from their want of occupation. One witness reports at men when unemployed "loaf," and "sit around on the stones" id elsewhere. Dangerous conspiracies may thus be hatched, to reak forth at a future day. At all events, the knowledge by other onvicts that a certain considerable part of their number are unemloyed cannot fail to have a deleterious effect in impairing their own fficiency and willingness to labor.

We are pained to add other evidences of inefficiency. Mr. Augsbury testifies that the inspector in charge during his time, with the exception of Dr. Bates, did not remain at the prison over two days in the month; whereas by law he is required to spend at least a whole week every month in the prison under his care. He also says that one or more of them violated the statute by remaining longer in charge of the Auburn prison than is allowed by law. The statutory time is four months for each inspector in rotation. In one or more instances this was extended to eight months. There is also evidence of irregularity in keeping minutes of the inspectors' meetings. Thus, at the meeting held June 24, 1868, at Sing Sing, to take action under chapter 612 of the Laws of 1868, concerning the purchase of the Walker contract before referred to, the minutes make no mention of the action taken. The minutes close abruptly, without entry of adjournment or any statement or report; and they are not signed by any person. Other meetings appear to be regularly adjourned, and to be signed by the inspectors present. The clerk, Franklin, testifies that he was not at the meeting. It is remarkable that there should be no evidence in the minutes of a contract so important and so singular as that which provided for the payment of $125,000 for property and rights which its owners valued at $23,000.

But there are certain items of evidence still more inculpatory, to which it is our duty to refer. We allude to the astounding testimony of Locke concerning "privileged convicts," whom he describes as persons standing in confidential relations to the contractors. The most private communications can be made to these persons without the least possibility of detection, as the testimony of a convict is accounted in law as worthless. Kohnstamm, a United States convict, had the most extraordinary privileges conceded to him. He purchased his time at a few cents per day, and was provided with a comfortable room on the prison premises. He was allowed such luxuries as he chose to provide in the way of food and drink, and to dispense them freely to officers and convicts. It is impossible to suppose that such arrangements could be made without the knowledge of the inspectors, or, if they could, it evinces a gross dereliction of duty on their part.

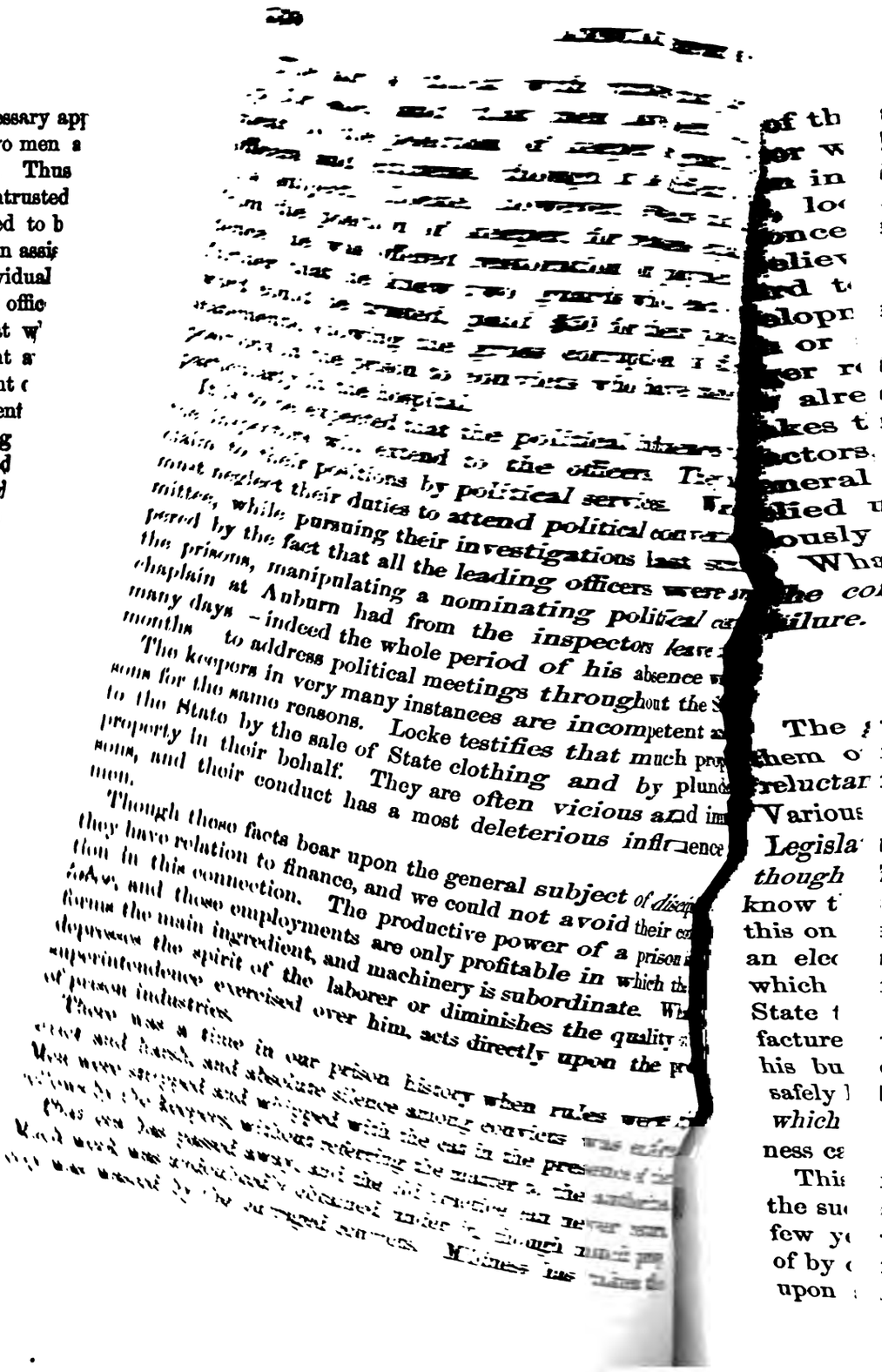


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severity, and the problem now is to unite energy ty and the spirit of aiding the convict to refor- present authorities, so far as they have any plan financial success. The prisons, as reformatories, ery witness to be a total failure. For this reason, ey are also a financial failure. It is philosophically efficiency of labor and yet pay no attention to the he laborer himself. Whatever makes him a better citizen will cause him to produce more and yield a the State. The present system cannot go on. It rly reached a stand still. Every new investigation look worse. There may be at one time worthy con- ant inspectors, diligent and successful wardens, with nce of management, but this class of persons cannot be to remain. The different classes come and go as capri- fitfully as sunshine and shower alternate in April.

the State may substitute in its place, we cannot escape sion drawn by the witnesses that the present system is a

Section III.

Other Considerations bearing on Finance.

general influences which have been referred to bring with ther and manifold evils. For example, there is a natural nce among wardens to exhibit the actual state of affairs. us devices have been apparently resorted to, to reconcile the lature and the public to the existing condition of things. Even gh there may be no actual intention to deceive, when wardens w that matters are not going on well, and that a perception of on the part of the public may effect a nominating convention or election unfavorably, they naturally shrink from any disclosure hich is not specifically called for. They do not represent to the tate the actual condition of affairs in the same manner as a manu- acturer would expect, at the close of a year, to have the real state of his business disclosed. It is certain that no manufacturer could safely hide from himself, or omit from his accounts, expenditures which have not been recognized in estimating the profits of the busi- ness carried on by the State in our State prisons.

This committee are among those who desired extremely to witness the success of the experiment instituted in Clinton prison for the last few years for carrying on the convict industries by the State instead of by contract. They are inclined to look with a most favorable eye upon any exhibition of profits which may be made. But candor



compels them to say that if the true state of the accounts had been given to the Legislature, no profits would have been shown. The truth of this statement will be made apparent in our special remarks on that prison.

The system of prison bookkeeping is complicated, obscure and calculated to mislead. It is constructed upon a plan which almost necessarily leads to reserve and want of candor. It demands monthly requisitions before expenditures. As it is almost impossible to foresee precisely what will be wanted from month to month, it is common to make requisitions for things that will not actually be wanted, and then purchase with the money things that are wanted; and in some instances expenditures are made in this manner that are wholly unnecessary. The deception that is thus practised, and for which strong temptation is offered, is in its nature corrupting and readily leads to other abuses. It is justified by the officers on the ground that business cannot be carried on otherwise. The oaths required are minute in detail and entangling, yet they must be taken without abatement, and, it may be apprehended, are not always respected. The rules of this kind are framed in a spirit of suspicion, and appear to invite to the very conduct which they seek to prevent by our rigid and cumbrous provisions. It seems to us that much would be gained, if the system of accounting were framed in a more liberal spirit, and one better calculated to meet the necessities of the case.

The recommendations which we would respectfully submit are these:

1. The contract system of labor should be abolished, and the State should take upon itself the conduct of prison industries.

2. The wardens should have a permanent tenure of office, with power of removal of the keepers under them. The necessary constitutional provision for this purpose should be submitted to the people. The general control of the labor should devolve upon him, with power to select a competent superintendent. The warden should be held responsible for the success of the financial management. He should have an ample salary, and the superintendent of industries should be liberally paid. Men of ability and integrity should be called to the position of warden. The committee entertain no doubt that the right men can be secured, if the office is placed upon the right footing.

3. While direct financial success is of great importance, and can with the right measures be secured, we desire to say that the still greater and more important problem is to place the whole theory of prison discipline on such a philosophical foundation that pecuniary profit will follow as a necessary and legitimate result. We cannot



frain, therefore, from expressing the opinion that our present theory prison discipline is not altogether sound.

The time has come when the question, long pending between the ongregate system of New York and the separate system of Pennsylania, must be definitely settled. Each has had its warm and sometimes heated advocates, and the question between them is rather adjourned than settled. Wise men are beginning to think that the true solution of the question lies in properly combining the separate and silent discipline so as to gain all the special advantages of both, with others not yielded by either through its separate action. From their combination, with other principles added, results the Irish system, owing much of its development to the sagacity and admirable administrative skill of Sir Walter Crofton. It has been, very briefly but well, sketched as individual discipline during imprisonment, progressive reformation through its varying stages, and protective supervision at its close. It cannot be better described than in the language of a high judicial officer in Ireland, and apparently a very competent and impartial observer.

"There was under discussion among us a difficult question concerning the relative merits of associated discipline and solitary discipline. The result has been the adoption in our government prisons of a system combining both. This system, which has now met with general approval, not only among ourselves but also from distinguished foreign jurists, rests on a theory simple and consistent. It is based on the proposition that reclaimable criminals relapse into crime from want of moral strength and self-control, sufficient to meet influences to which they are exposed when released from prison, and it aims at supplying this want by a gradual process of discipline, accompanied by successive trials of the prisoner's strength against temptation. The treatment begins with separate, not strictly solitary confinement, which both operates as a very severe punishment, and by its psychological effects in most instances predisposes the mind to receive better impressions. The prisoner from this passes to the stage of associated labor in prison, arranged progressively, each being less irksome and less subject to restraint than the preceding. The convict's conduct in each case is tested by daily marks, according to which his advancement is retarded or accelerated; and if the tests of his improvement are satisfactory, he is enabled to obtain his discharge on licence before the expiration of the period of his original sentence, according to a uniform scale, varying in proportion to that period. Before his release on license, he is removed to an intermediate prison, where restraint almost wholly ceases, the prisoner's position being nearly that of a student at an ordinary board-

ing school, so far as physical control is concerned. * * When at length a license is obtained and the convict is allowed to go abroad among his fellow men and endeavor to take his place as an honest citizen, he is not left wholly to himself, and for the remainder of the period of his original sentence he must report himself to the police. He must, and what is more important, knows that he must, be again arrested and imprisoned to undergo that sentence if, even at this last moment, he shows signs of relapsing. His connexion with the police is, however, of the slightest character, and wholly different from the French system of 'surveillance' which, far from reducing, rather increases the difficulties in the way of becoming an honest citizen."

This system, based as we believe it to be on sound principles, is not calculated simply for Ireland, where it has undoubtedly reached its greatest development and perfection. Its recent adoption in England has been followed by the most satisfactory results, the diminution in the number of reconvictions being very marked.

There may be a question whether this system in every detail is adapted to our own State, but it is impossible to doubt, without discarding all the lessons of experience, that, were its general principles adopted and faithfully and wisely carried out, the most gratifying results would be accomplished. It would then only remain to bring the jails under some general control and thus secure, as far as possible, the benefits of uniformity in prison discipline.

Division II.

Special Remarks upon Individual Prisons.

Under this head, it does not seem necessary to say any thing concerning the State prisons at Auburn and Sing Sing. The considerations already stated in the first branch of our report cover nearly every observation that we wish to make. Any details desired concerning particular contracts, farther than those we have stated, can readily be found in the evidence herewith submitted.

We desire, however, under this head, to make some statements concerning the financial management of Clinton prison. There was general rejoicing among the friends of prison reform when it was learned that the inspectors had determined to abolish the contract system there. The State was henceforward to carry on prison industries. The financial result was eagerly waited for, and it was pleasant to find that a considerable profit had been realized in 1866, and a still larger in 1867. The committee regret to be compelled to state their conviction that the financial profit was an illusion, and that in all fairness $86,057.86 should be deducted from the alleged profits,

which, instead of leaving a surplus, shows that the industries were carried on at a loss of $65,308.35.

We have aimed to state the account fairly, as an ordinary manufacturer would do in making up an estimate of profits at the end of a year. He would of course charge the interest of the capital employed and the annual deterioration of machinery to the cost of production. Any materials taken from other property of his would be as fully charged as that which he purchased. If, for example, he were an iron manufacturer, he would charge "to cost of production," the value of ore taken from his own land, or wood cut from his own forests, as well as that which he purchased. So in his inventory of property on hand and not sold, he would estimate it at the cost of production, and would not add any profits not yet realized, and therefore imaginary.

The account at Clinton prison was not made up by the authorities in this manner. On the contrary, they have omitted to charge any items of loss by depreciation or of interest on capital, and have credited themselves with fictitious profits and exaggerated values.

Nothing could be more injurious to the pecuniary interests of the prisons than to make up erroneous accounts for the purpose of appearing well before the public in any one year. In such cases the apparent prosperity will be but evanescent. The deception will be disclosed in a year or two from the stern fact that the cash drawn from the treasury for support will always show the amount of expenditure, and the income of the prison will surely appear by the actual cash receipts deposited with the treasurer. Therefore, if its receipts are unfairly made to look large in any one year, there will be, sooner or later, correspondingly low returns. The accounts should always be fairly kept, and thus the public will understand the true working of the institution; and if the result should be unsatisfactory, the Legislature will be better able to apply a remedy.

The details establishing the assertions that we have made will now be presented. They are for the year ending in September, 1867.

1. *Capital and its Interest.*

The property belonging to the State at Clinton prison is valued by the appraisers at $826,640.27.

Of this amount, it appears that the value of $557,990 is devoted to manufacturing purposes.

This must be deemed capital, and its annual interest is $39,056.30.

2. *Materials used belonging to the State.*

Twenty-five or thirty thousand cords of wood were taken during



the year from timber land belonging to the State, and used in the manufacture of nails and iron. For this no credit is given in the account. From the evidence, it appears that the wood as it stands on the ground is worth from 25 to 50 cents per cord. This item, in our judgment, should be charged against the manufacturing account, (say) 25,000 cords at 25 cents = $6,250. There were also about 2,000 tons of iron ore taken from the mineral lands of the State. Of this no account is given. This, estimated at $1 per ton, a low valuation, was worth $2,000.

3. *Depreciation of Machinery.*

Machinery used with the greatest care will depreciate to a considerable extent annually. For this depreciation, at least three per cent should be allowed. Three per cent on $251,752 (value of machinery), is $7,552.56.

4. *Overestimate of the Value of Products.*

(*a*) Bar iron and nail plates could be produced in 1867 at a cost not exceeding $80 per ton. Two hundred and sixty-six tons are, however, inventoried at $100 per ton. The excess over cost on this item is $5,320.

(*b*) Charcoal could be delivered at the prison at eight cents per bushel. Sixteen thousand bushels are inventoried at ten cents. The excess in this item is $3,200.

(*c*) Cut nails could be produced at a cost of $4.50 per keg. The inventory shows 12,211 kegs, valued at $5.50 each. The overestimate in this item is $12,211. This fact is more strikingly shown from the statement that when the nails were put upon the market, they brought only $4.50 per keg.

(*d*) It appeared from the testimony that wood delivered at the prison is worth no more than $3 per cord. However, we find in the inventory 3,000 cords, valued at $3.50 each, making an overestimate in this item of $1,500. There are also 2,500 cords inventoried at $4. Showing an excess of $2,500.

Assuming that wood at the several coal pits or jobs referred to in the inventory is estimated at the same general rate, that is, at (say) twenty-five per cent above its value, there will be upon an estimate of $25,878, an excess over the true value of $6,468.

There can be little doubt but that if the entire inventory should be carefully examined, there would crop out many other erroneous estimates, but the presentation of those already exhibited is deemed sufficient for the purposes of this investigation.



RECAPITULATION.

nterest on capital invested	$39,056 30
25,000 cords of wood at twenty-five cents per cord	6,250 00
2,000 tons of iron ore at $1	2,000 00
Depreciation of machinery	7,552 56
Over-estimate of the value of iron on hand	5,320 00
" " charcoal on hand	3,200 00
" " cut nails "	12,211 00
" " wood in the yard	4,000 00
" " wood at the kilns	6,468 00
Total	$86,057 86

In addition to the foregoing, we would point out the following singular items:

Scrap iron valued at $2,200, without any quantity or price named; 522 suits of clothing on convicts' backs, $7,786; item, clerk's office — buckskin gloves and mittens, $672: there is no mention of the number of pairs nor the price of each. Item — one cannon, $700.

It would appear from the following items that signal economy has been practised in some departments:

Item — Furniture in the chaplain's dwelling	$19 50
" " " clerk's "	18 00

It may be that the State works at Clinton prison cannot, from the nature of the case, be carried on except at a loss. It is to be hoped that, hereafter, if this state of facts exists, the prison authorities will not hesitate to disclose it, nor aim to cover it up by omissions of necessary charges, or by exaggerated estimates of values.

PART SECOND — REFORMATION.

The committee were instructed by the Legislature to inquire into the reformatory agencies employed in our State prisons, as well as their financial management. We propose to consider this division of our subject under three heads, viz.: I. To what extent reformatory treatment exists in the prisons. II. Punishment in its relation to reformation. III. Suggestions with a view to greater efficiency in this department of prison discipline.

Section I.

Our State Prisons as Reformatories.

The testimony of Dr. Bates on this point, who for six years held the office of inspector, and who is therefore qualified to speak with authority, is in these words: "As reformatories, I consider our State



prisons, under the present system of management, as not accomplishing what they might under another system. Political changes in the officers of the prisons have a decidedly injurious effect upon the discipline and the convicts. The contract system is unfavorable to discipline and the best good of the convicts. I think there are some reformations in prison, but the number is small. Very many, especially the younger prisoners, go out worse than they came in." Mr. Augsbury, who was for several years an officer in Auburn prison—first as clerk, and subsequently as warden—uses language equally strong: "As reformatories, our prisons are a failure. Men are there educated in crime. The effect of bad keepers is felt throughout the prison." Dr. Button, for seven years physician to Auburn prison, swears: "I have served under five different wardens. The main object has always been to make the prison pay its way, and earn a surplus if possible. Officers have had no *faith* in the reformation of convicts, and consequently little effort has been put forth to that end. If reformation were to be made the object, the whole system would have to be remodeled, and radical changes introduced." Col. Thomas, for two years principal keeper in the same prison, says: "The great object for which the authorities of the prison plan and labor is to make it self-supporting. If reformation were the leading object, a different policy altogether would be pursued." Major May, who had been clerk of the prison for two years, testifies: "I conclude the leading aim of the gentlemen who control and manage the prison is to make it cost the State as little as possible. Reformation could not be made the chief design with the contract system in operation. To make the prison really reformatory in its influence, the labor system must be altered; more attention must be given to education; every convict must be taught a full trade; and the self-respect and manhood of the prisoner must be restored to him." Mr. Hall, for eight years a keeper in the same prison, says that having heard the testimony of the last witness, he "concurred in the views of that officer." The Rev. Mr. Beadle, one of the gentlemen employed as teachers of the convicts, swears: "I do not think that the reformation of the convicts is by any means the leading object in the conduct of this institution. A few, I think, go out with really better principles and character than they came in; but this is not true of the great mass. On the contrary, they are worse when they are discharged than when they were committed; they go out schooled in crime." The Rev. Mr. Canfield, who has for five years held the office of chaplain in Clinton, is very emphatic in his testimony. We cannot quote from it all that we should be glad to cite, but we ask for it a careful perusal. He says: "Reformation is a very secondary matter in the management of this prison. The



ught and effort of the inspectors and officers are mainly directed
money-making; very little attention is given, comparatively, to
e moral reformation of the prisoners. What the authorities do to
omote this end is to appoint a chaplain to take charge of the mat-
r; beyond this, almost nothing is done by them in this direction."
he principal keeper, Mr. Bates, says: "Very little thought, *if any*,
given to the reformation of the inmates." Mr. Williams, for over
wo years a contractor in Clinton prison, and for three months, during
he illness of the warden, acting superintendent of the iron depart-
ment, swears: "The one great object in view is to make as many
kegs of nails as possible. The reformation of the convicts does not
appear to me to enter into the thought of the authorities, except so
far as the chaplain is concerned, who is wholly and heartily devoted
to that work." Chaplain Smith, of Sing Sing, testifies: "This insti-
tution is managed almost wholly by the authorities as a business con-
cern. The reformation of the convicts is not made prominent. Con-
sidered as a school of reformation, the success is far less than it ought
to be, and might be, under a proper penitentiary system." Mr. Ben-
son, the principal keeper, swears: "In respect to reformation, I con-
sider the prison, on the whole, a failure."

No comment can be necessary on such testimony as the above; and there is abundance more to the same effect. The only active agencies employed with a view to the moral and mental improvement of the prisoners are: One religious service in each prison on the Sabbath; Sunday schools in Auburn and Clinton prisons and the female prison at Sing Sing; weekly prayer-meetings in both the Sing Sing prisons; a Bible in each convict's cell; the distribution of religious tracts and papers; private counsels from the chaplains; the merest modicum of secular instruction, and the use of libraries fairly provided with books. But no effort, no contrivance, no anxiety, no zeal, no thought even appear to be expended by the authorities to this end.

Section II.

Punishment in its Relation to Reformation.

The punishments employed in our State prisons are: Dark cell, shower-bath, iron cap, ball and chain, and shaving the head. The buck and iron crucifix, or yoke, formerly much in vogue, are still used, at least occasionally, in some of the prisons. This fact appears in the evidence.

We cite descriptions of the shower-bath, crucifix and buck from former reports; and as showering seems to have become the great resort, we begin with that:

"To convey a just idea of the shower bath as a means of punishment, as well as to disabuse the community in regard to it, it will be necessary to describe, as well as may be, the instrument itself, so that it can be compared with the bath in common use as a means of luxury. The form of the machine is that of the common stocks, with a reservoir of water above it, having a head of fifty-four inches, measuring from the surface of the water to the perforated plate at the end of the discharging tube. The offender, being entirely stripped of his clothing, is placed in a sitting posture in the stocks, with feet and hands securely fastened, and his head contained in a sort of trap, the bottom of which encircles his neck so closely that the water will not run off as fast as it can be let on, the water being under the control of the keeper by means of a cord attached to a valve in the bottom of the reservoir. From the perforated plate the water falls about eighteen inches, when it strikes the head of the convict, immovably fixed, thence passing over the whole surface of the body. When the reservoir is full, the force of the blow upon the head is nearly equal to a column of water seventy-two inches in height. This force is somewhat reduced by the intervention of the perforated plate, a late modification in the instrument. To the mechanic, who calculates the influence of mere matter upon matter, the power of the column of water must possess considerable importance. But to the physiologist, who can alone judge with any degree of correctness of the influence of a stream, generally at 32 Fahrenheit, falling upon the head and thence covering the whole body, the suffering induced and danger incurred must appear momentous in the extreme.

"The yoke is formed of a flat bar of iron, four or five inches wide, and from five to six feet in length, with a movable staple in the centre to encircle the neck, and a smaller one at each end to surround the wrists. All these staples are so arranged that by turning screws on their protruding ends on the back of the iron bar, they can be tightened to any degree deemed expedient. The weight of the lightest yoke is thirty-four pounds avoirdupois, and some of them, we believe, weigh forty or fifty pounds. The principal objection to this punishment is that the yoke bears too heavily on the cervical vertebra. Most persons are aware of the unpleasant, and in fact, insupportable sensation produced even by the weight of the unbuttoned coat and vest pressing upon the back of the neck. Under the weight of this instrument, the convict cannot retain the erect posture for even a few minutes consecutively, but is forced to bend forward in his continual writhing, which brings the entire weight of the bar upon the lower cervical vertebra. The arms are generally stretched to their full length, and, from steady tension of the nerves, are benumbed, while the

hands turn purple, and at times become much swollen. To an observer who places his fingers beneath the yoke, the pressure is so great that it becomes actually painful. Both as an instrument of torture and of death, it is confessedly more dangerous in the hands of uneducated men than the lash.

"The punishment of the buck consists in tying the wrists together, then bringing the hands thus bound down in front of the knees, passing a stout stick between the legs and arms in such a way as to double up and bind the body, as it were, together, and suspending it by placing the ends of the stick upon two chairs. The body is thus brought into a horizontal position, and the head will either hang down or must be held up by the sole force of the muscles of the neck. This is, to say the least of it, a very severe punishment; and, if protracted for any great length of time, can scarcely be regarded as otherwise than cruel."

The reports of the Prison Association of former years, especially in the earlier periods of its history, abound in relations of deaths, insanity, incurable imbecility, and life-long decrepitude resulting from these tortures. There can be no doubt that, in the words of a former physician at Auburn, "to fasten a convict in the stocks tight and firm, with his head thrown back, and then douche the water upon him, is decidedly more dangerous and evil than the cat. The muscles involuntarily shrink upon the application of cold. But here they must bear the shock in all its severity. The first effect is strangulation to a most painful degree. The next is aberration of mind, convulsions and congestion of the brain, liver and bowels. The blood, receding from the surface, is thrown suddenly and violently upon the organs, and the above result is inevitable." Truly, in reading of such punishments and their effects, we seem to have closed our eyes upon the present, and to have opened them upon the rack, the thumb-screws, and the other instruments of torture that belonged to the inhumanity of past ages.

But these punishments are to be considered now, not merely or mainly as they are cruel and inhuman, but in their relation to the reformation of prisoners. What is their bearing upon that question? In this view they are objectionable, from the fact that they wound the self-respect of prisoners; they degrade them in their own esteem; they are irritating and vexing; they beget feelings of hatred and revenge; and their tendency is to depress rather than elevate; to crush out manhood rather than cherish it — in a word, to make them worse instead of better. Such punishments may subdue a man, they may break his spirit, they may produce seeming submission; but it is not possible that they should improve him morally. By a fixed law,



they oppose themselves to all those moral and religious agencies and influences, which experience has shown to be most efficacious in the recovery of the fallen and the redemption of the lost. In many they excite an undying hate. To his chaplain, who was urging him to a better spirit, a prisoner once said: "Sir, six years ago, I was flogged in this prison; I have the marks of the lash still on my body; when those marks *wear out*, I shall forget and forgive it." The lash is gone by a legal interdict; let the shower-bath, the buck, the iron yoke, and all other cruel or degrading punishments, if there be any others, follow it. Let them be banished by law *in sæcula sæculorum*. We would call special attention to the evidence as to the dangerous character and injurious effects of punishment by the shower-bath contained in the testimony of Drs. Smith and Pryne, physicians respectively to the Clinton and Sing Sing prisons, which will be found in the appendix, together with such other extracts from the evidence taken by the committee in their investigations as it has been thought needful to print.

It is quite evident that the efforts of the prison officials to make the prisons self-sustaining have not been successful, notwithstanding all their energies would seem to have been directed to that end, to the entire neglect of all reformatory appliances. It is believed that it could be demonstrated that by the cultivation of the higher instincts of the convicts, and the use of suitable means for their reformation and improvement while in prison, the financial interests of the institutions would be advanced; and that by proper efforts in this direction, as well as proper attention to the material and business affairs of the prisons, they might and would be self-supporting. The reformation of the convicts and the improvement in the labor results and the financial condition of the prisons would, beyond all doubt, go hand in hand, and the State would, in pecuniary returns, receive an ample equivalent for all efforts toward the moral elevation of the prisoners.

Section III.

Suggestions.

In the prisons of most of the States, there is an express recognition that reformation of the criminals is a main object of imprisonment. Such recognition is embodied in the statute law of New York. The principle was wholly unknown to the ancient world. Indeed, its discovery and application are of but recent date even in modern times. It rests upon a foundation consisting of four subordinate principles, viz.: 1. That human law should deal with crime not to avenge but to prevent it. 2. That vindictive punishments defeat

their own purpose, and increase the mischief they would avert. 3. That disproportionate severity is unnecessary and injurious. 4. That the justice of punishment is measured by its necessity. These propositions form a solid basis on which to rest the necessity and duty of a reformatory discipline in prisons. Howard, more than a hundred and fifty years ago, found this inscription in one of the apartments of a prison at Rome: "It is of little use to restrain the bad by punishment, unless you reform them by discipline;" on which he makes this comment: "The grand purpose of all civil policy is expressed in this sentence." Alexander Machonochie, one of the greatest and most clear-sighted of prison reformers, believed that criminals could be "gained, *to a man*, by a system which would *study their natural feelings and seek their own improvement in their treatment*, as well as the good of society." He adds: "I fear neither bad habits nor any other difficulties. I believe that while life and sanity are spared, recovery is always possible, if properly sought. There is indefinite elasticity in the human mind, if its faculties are placed in healthful action, and not either diseased by maltreatment or locked up in the torpor of a living grave. These latter causes may intimidate outside, but they must, even in their best form, injure the sufferer himself. And the Christian morality seems more than doubtful that would sacrifice the known for the unknown, the actual patient for the supposed looker-on. Every difficulty would, I feel assured, be removed from the administration of penal law, if we did but recognize the principle that to seek well and wisely the reform of our criminals, we must inflict on them all the suffering that is really necessary for example, and that *we are not entitled to do more*. We may not do evil that good may come. There is no qualification to this precept."

Happily for society, the reformatory principle of prison discipline, since its introduction as an active element into modern civilization, has made remarkable progress. Indeed, its history affords one of the most signal illustrations of social advancement in our day. The age is full of material wonders. Each year brings forth something more startling than the last, and imagination is less swift than reality. Physical science has annihilated space and time. Thought travels, on the wings of the lightning, from continent to continent; and the morning paper brings to us, from distant nations, the events of yesterday. We know what took place last night in London and Paris, just as we know what took place in Washington and New York. But amid all these prodigious changes, as bewildering in their rapidity as they are astounding by their grandeur, it may well be doubted whether there is any thing more novel, any thing fuller of interest and true joy to the genuine lover of his kind, than this quiet move-



ment, which embraces the outcasts of earth, and wins its noiseless victories within prison walls. This movement has, indeed, borne precious fruit, which has developed itself in institutions most excellent and beneficent—industrial schools and reformatories for the young, intermediate prisons for adults, refuges and homes for liberated female convicts, and aid societies for the relief and encouragement of prisoners of both sexes, who are disposed to amend their lives; the whole constituting what may be called the modern reformatory system of prison discipline.

It is the ardent desire of this committee, as it is of the society which they represent, to see our own beloved commonwealth abreast in this great and benign movement, with states and nations occupying the most advanced positions. To this end, we offer the following suggestions to the Legislature and people of New York, and ask for them a candid (which we are sure will be a favorable) hearing. We shall do little more than state the propositions, as they have all, or nearly all, been again and again elaborated in previous reports of the Association.

1. There must be a complete separation of the government of our prisons from party politics.

2. The executive administration of the prisons must be made permanent by a permanent or at least an extended tenure of official position therein.

3. The standard of official qualification in the employés, from the warden to the guard, must be advanced to a much higher plane than has ever yet, as a general rule, been attained. The task of changing bad men into good ones is not one to be confided to the first comers, and, least of all, to mere party hacks. It is a serious trust, demanding for its due discharge thorough preparation, entire self-devotion, morality above suspicion, strong religious principle, and genuine faith in the practicability of the work to be done—the reformation of men vicious, fallen, criminal.

4. The total abolishment of the contract system; which, however, we are free to say, cannot, in our judgment, be done with safety or any fair prospect of satisfactory results, till the three preceding conditions shall have been secured.

5. Prisoners, during their incarceration, must not only have the *desire* awakened in their breast, but be put in possession of the *power*, to earn honest bread, on their liberation. We mean by this, that all who have the ability must be taught a full trade, if they had not previously learned one; and if they could but have the liberty of choosing the trade to be learned, as in the new Russian prisons at Moscow and St. Petersburgh, so much the better. How much need

ere is of this, and to what an extent the want of a trade is an occa-
on of crime, is the lesson of all prison statistics. Of the convicts
ceived into the Eastern Penitentiary at Philadelphia in 1868, less
an seven per cent had learned a trade, nine per cent had been ap-
renticed and left, and more than eighty-four per cent had not so
uch as even attempted to acquire the knowledge of a handicraft.
And these statistics are a fair sample of all the rest. How strong a
shield against relapse the knowledge of a trade acquired in prison is,
clearly appears from statements of Mr. Rice, warden of the State
prison of Maine, one of the most intelligent and judicious of prison
officers. It should be premised that Mr. Rice gives a full trade to
every convict, who stays long enough to learn it, and has the requisite
capacity. He states that of 200 convicts discharged during his in-
cumbency, a period of more than five years, only seven had been re-
convicted, and but two of the seven had learned a trade, and one of
them was an old thief, who had already served three terms. He adds:
"If convicts were obliged to remain in this prison at least two and a
half or three years, all that have any capacity would go out with a
good trade; and, in my opinion, not over two per cent would ever
return to this or enter any other prison as convicts."

6. A far greater breadth and efficiency must be given to both reli-
gious and educational agencies.

7. A carefully devised system of rewards by marks, classification,
privileges, participation in earnings, etc., must be instituted as an
encouragement to industry and good conduct, so that the principle
of hope shall act with even greater vigor than the sentiment of fear.

8. Reformation must be made the real, as it is the declared object
of the discipline, to which the efforts of the authorities, officers and
employés, must be directed with intelligence, zeal, constancy and
faith.

All of which is respectfully submitted:

THEODORE W. DWIGHT,
WM. F. ALLEN,
G. B. HUBBELL,
E. C. WINES,
} *Committee.*

OFFICE OF THE PRISON ASSOCIATION, 38 BIBLE HOUSE,
NEW YORK, March, 1869.

XXIX. CRIMINAL REGISTERS:

By M. Bonneville de Marsangy, Corresponding Member of the Prison Association.
[Translated by the Corresponding Secretary.]

I.

What is crime? An intentional violation of duties imposed by law, which inflicts an injury upon others. What is punishment? Moral or physical suffering, inflicted on the criminal in expiation and reparation of the wrong committed, and especially with a view to prevent his relapse by reformation.

Thus, crime is a sort of moral disease, of which punishment is the remedy. The efficacy of the remedy is a question of social therapeutics, a question of the fitness and measure of the dose.

And now, since punishment is directed not to the crime but to the criminal, it is clear that it will not be able to guarantee the public security and reëstablish the social harmony, disturbed by the infraction, except by reëstablishing moral harmony in the soul of the criminal himself, and by effecting, as far as possible, his regeneration—his new birth to a respect for the laws.

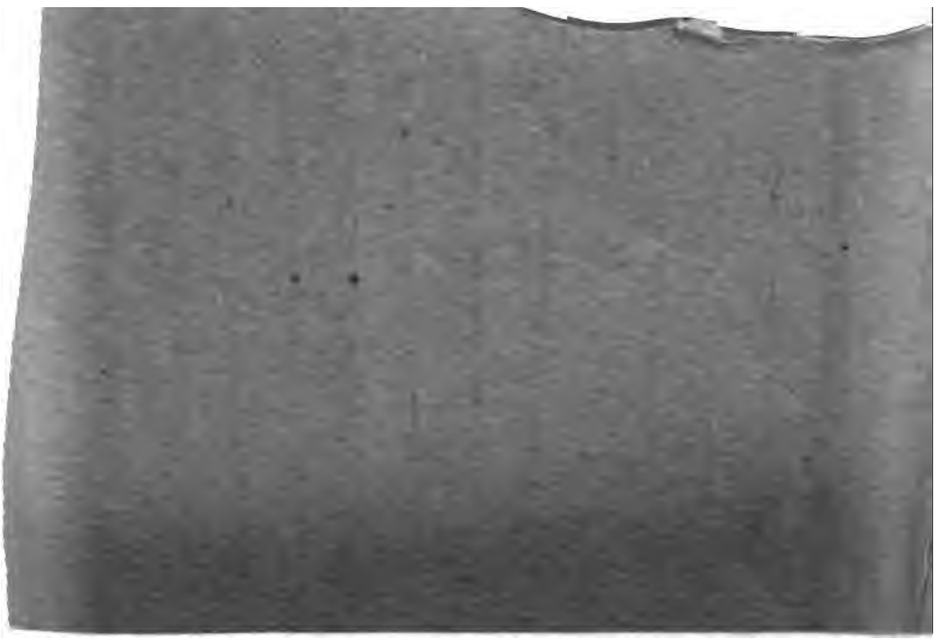
"After having weighed the offence," I have said elsewhere,* "the judge weighs the man, and in accordance with the combined weight of these two material elements of judgment, he determines the degree of punishment." The offence it is easy to measure; it is a fact. But the guilt, the perversity, the incorrigibility of the agent, the social alarm that results — how can their extent or gravity be established with certainty?

To effect a recovery, it is evidently necessary that the magistrate, charged with dispensing the punishment, should have a point of observation, permitting him to determine, almost with certainty, the diagnosis of the moral state of the criminal and his relative degree of sensibility and curability. "*Primum consideranda est persona nocentis.*"

"Forget this great principle," I have said in another place,† "separate crime from the person of the criminal, and repression loses its rule and its light; it becomes, as it were, materialized, being inflicted rather upon the *fact* than upon the *agent*. In that case, the citizen, until then virtuous, and the man profoundly depraved,

* *De la Récidive.*

† *Amélioration de la Loi Criminelle* (vol. 1, p. 649).



confounded in a blind estimation, find themselves subjected to an unjust equality of punishment; in other words, the adjustment of punishment becomes impossible, and the decrees of justice have no longer that seal of distributive equity, that sinew of sufficiency and efficacy, which must characterize an administration of justice at once firm, liberal and enlightened."

Now, of all the elements of a judgment as to the moral curability of a deliquent, the most certain is the knowledge of his past,* especially his *judicial antecedents*. This is the reason why the greatest organizer of modern times, the immortal author of the Code Napoleon, desired that his minister of justice should have always at hand "the biography of all malefactors." In truth, the man who for the first time violates the law may be easily and with little effort brought back to its observance. It cannot, however, be thus with him who has become an habitual transgressor, and whom justice has already smitten, without effect, for past misdeeds. The relapse of the delinquent proves either his weakness to resist evil solicitations, or his audacious disdain of repressive decrees; whence it results that in proportion as it is equitable, in view of a first offence, to mitigate the penal action, in the same degree it is logical and necessary to increase its severity in the case of recidivists.

The whole secret of the efficiency of criminal laws lies just there! Without this essential condition, they would be but a useless catalogue of penalties, without philosophical aim, without serious intent, and terminating at last in social impotence; that is to say, in the infliction of mere formal punishments, forever followed by a like annual epidemic of the same crimes.

These truths being presupposed, it is manifest that justice will be incomparably more certain to judge correctly of the nature and degree of the punishment to be inflicted, if she is in possession, at the time of rendering her award, of a complete knowledge of the life and judicial antecedents of the criminal, whom she has to punish. Has such criminal remained, up to that time, free from all infraction? Or has he been already, for the same or similar deeds, smitten by the hand of justice? Such is the question to be considered at the solemn moment of adjudicating the punishment.

II.

All this is profoundly true, it will be said, but will the criminal judge always be able, on the instant, to know the biography of the numerous criminals brought to his bar?

How? By what is called, in France, criminal registers (*casiers*

* "*Examinez ma vie, et voyez qui jue suis.*" — RACINE.



judiciaires), a plan as simple in its principle and its execution, as it is fruitful in its results; so simple that it is astonishing that any pains and study were necessary to discover it; so fruitful that it will, in the end, like the telegraph and the railroad, be introduced into all civilized countries.

Before explaining its nature, it will perhaps be useful to recall the total insufficiency of the means heretofore employed to investigate and prove the antecedents of persons arraigned on a charge of crime.

It is known that from time immemorial it has been the custom of criminal courts to keep a register of all the sentences pronounced by them. These registers, deposited in the rolls, constitute for each jurisdiction a fundamental and authentic element of information. In France only, in obedience to the 600th and following articles of the code of criminal procedure, one copy of these registers was annually transmitted to the ministers of police and of justice, and served to complete the general alphabetical catalogues, called *judicial summaries*, and including the series of all the sentences proceeding from the tribunals of the country. Thus the *idea* of concentrating, at one single focus, all the criminal records, was perfect. Nevertheless, for want of a prompt and easy method of investigation, these innumerable documents, collected with so much expense and labor remained buried in the archives of the government, as in some vast catacombs, without any advantage to the public order and security. If the minister of police had had at his disposal a whole army of employés, he would not have been able, even by generalizing this service of investigating the sentences, to render it practically accessible to all the tribunals of France. The problem could not be solved but by a division of the labor, and, above all, by the *localization* of the information. Why did the antecedents of persons arraigned remain almost always unknown? This is the reason: An offender was arrested and interrogated. To the question, "Have you been previously arrested?" he replied, invariably, "*No, never.*" If the court accepted this declaration as true, it was in danger of inflicting upon an habitual malefactor, already twenty times convicted, simply the light punishment deemed sufficient for a first offence. In this way, recidivists abused the credulity of the judge, and made a mockery of punishment. "*Paenas flocci faciunt.*" From this judicial impotence there resulted an inexhaustible source of encouragement to crime. But, on the other hand, if justice had not certain knowledge, what means did it possess of over-ruling this response? Scarcely was it able, in the case of accused persons who had not quitted the country, to verify with certainty their previous life. But the accused had been able, as often



ppens in these times of incessant locomotion, to lead a wandering
e, seeking in that very vagrancy the occasion or the impunity of
s misdeeds. He had been, perhaps, arrested and punished in
arious places—departments, cantons or districts—where he had lived.
ow to seek and collect, here and there, the proofs of all these dif-
erent convicts? From not knowing the place and the time, it would
ave been necessary that, in the case of each person arraigned, jus-
ice should have made an inquest in all the records of all the courts
of the country, and indeed of foreign countries! That was impos-
sible. What, then, happened for the most part? The committing
magistrate multiplied these questions to no purpose; he addressed
dispatches to commissions of inquiry wherever he supposed the
accused might have lived; the proceedings and the preventive deten-
tion were prolonged indefinitely; and after all these delays and these
fruitless searches, the accused was sentenced, without justice having
been able to penetrate the mystery of his previous existence. His
punishment, that curative dose, whose due administration can alone
guarantee its efficacy, was decreed only by hazard, and in all cases,
without any exact adaptation to the habits, the character or the
criminal temperament of the culprit. Hence, resulted a deficiency
or an exaggeration of repressive action, equally contrary to a right-
eous administration of justice.

Governments and magistrates had, for long years, in vain sought a remedy for this state of things, whose disastrous consequences were likely to be still further aggravated under the new régime of universal suffrage.

III.

It was under these circumstances that I devised and proposed, in 1848, the establishment of criminal registers, which, at first despised or imperfectly understood, was, two years later, eagerly welcomed and no less resolutely executed by the minister of justice, M. Rouher. (*Circulaire de 6 Novembre*, 1850.)

The following is a description: There is established in the registry of each of the tribunals of arrondissement, one or more cases, fastened with a key, containing a number, more or less considerable, of boxes or movable registers (*casiers mobiles*), arranged in alphabetical order, and designed to receive certificates of the convictions pronounced, no matter where, against individuals who are natives of that arrondisse-ment. As soon as a definite sentence is pronounced by any court or tribunal of the district (even a military or marine tribunal), the register of that jurisdiction is bound, on pain of a fine, to address immediately, through the intermediary, and with the signature of the imperial attorney, the certificate of this sentence to the registry of



the tribunal of the convict's place of birth. All these certificates are upon a single sheet, of a form and dimension rigidly prescribed, and on very strong paper, in order to facilitate the handling of them.

I was obliged to choose the place of birth, because that is fixed and invariable; because it is generally known, or easy to ascertain (a citizen being able to perform any important civil act without producing a certificate declaring his birth-place); because, in fine, the registers of the civil state of the citizens being, in the greater part of the states of Europe, centralized each year in the registry of the administrative and judicial arrondissement, where are found also collected in juxtaposition, in the same focus,* all the acts of the civil state and the acts of the criminal state of every individual who is a native of the arrondissement.

This organization once established, the facility and extreme promptitude of the investigations will be readily understood. There is no longer any uncertainty possible in regard to the antecedents, whatever they may be, of any person charged with crime. A letter or telegram, addressed to the register of his place of birth, is enough, and at once a certificate is obtained, recapitulating all the convictions had, no matter where or when, against the individual mentioned.† The judge has thus under his eyes, at the moment of rendering his decision, the criminal biography, or the biography without a stain, of the accused, on the fate of whom he has to give judgment.

If the accused was born in a foreign country — if he conceal or be ignorant of his birth-place, the investigation is no less simple, no less expeditious.

For persons belonging to these three categories I have proposed and caused to be established a *central depôt* of certificates of conviction in the office of the minister of justice in Paris. To that are addressed, and there are collected and alphabetically arranged, in the boxes or registers, all the certificates issued by the French tribunals, which relate to individuals whose origin is either foreign or unknown.

There are thus two centres of investigation, which serve as a complement to each other, and outside of which no conviction can remain concealed. When the conviction of an individual is found neither

* The registers of the civil state serve to verify the statements of the surname, Christian name, age, birth-place and other declarations, in the certificates of conviction.

† I hardly need say that for the purpose of immediately carrying this new system into effect, the Government was obliged to require all the registers of the criminal rolls, and the classification and arrangement of all the certificates of conviction for the twenty preceding years. This measure was indispensable to the end that the expected advantages might be secured without delay.

the register of his birth-place nor in the central dépôt of Paris, a *negative* report is given. It is almost a certain proof that the accused has never before been under the arrest of justice.

Already, some years ago, Italy* and Portugal† have borrowed from us, as a measure of public security, our organization of criminal registers. When, in accordance with the wish expressed by the International Congress of Statistics, held at Florence in 1867, this institution shall have been adopted by all civilized countries, there will be, in truth, no more frontiers for the administration of justice. Every country regarding it as a duty to transmit to foreign governments the certificates of conviction of those born on their soil, no criminal, however nomadic his life, will be able, on returning to his own country, to shield himself under a false assumption of virtue. His misdeeds, at whatever distance committed, will come, as it were of their own accord, to inscribe themselves in the place of his birth. All his antecedents will be revealed; and then, at length, like the Divine justice of which it is the reflection, human justice will, thanks to the registers, have its eye everywhere, as, thanks to extradition, its arm reaches out to seize malefactors even beyond the seas.

IV.

Having set forth the above facts, may I be permitted, in a summary manner, to exhibit the numerous and remarkable services rendered in various ways, by the judical registers? As regards criminal repression and humanity, or, to speak more correctly, true justice, the registers alone furnish the judge the means of apportioning the punishment to the relative degree of guilt in the criminal. In this relation, the annual judicial statistics prove that, since their establishment (18 years), they have, in a singular manner, fortified, as respects residents, the action of criminal justice. They are regarded as holding the first place among the causes which, since then, have effected an important diminution in the number of offences—above all, of great crimes. At the same time, they have promoted lenity, inasmuch as the negative cetificates are the best defence, before the jury and the judges, of all who appear for the first time at the bar of justice. I add that they satisfy the great principle of personal liberty, since they shorten preventive detentions by the promptitude with which they furnish exact indications in regard to the antecedents of persons charged with crime.

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*Decree of King Victor Emanuel of December, 1865.

†Decree of the King of 24th of August, 1863, and art. 59 of the *Projet* of a Penal Code.

In a political point of view and in relation to the national home their results have a significance no less considerable. Harmonizing with universal suffrage, they alone enable us to remove either from the public administration, or from the electoral and jury lists, or from the rolls of the civic guards and the army, every person convicted of grave offences. So also they may be consulted to advantage in weighing the merit of petitions of naturalization, which have become more numerous in proportion as the barriers between the people are lowered.

Nor is this all. Public and private administrations and even individuals can, by adressing the ministry and paying the necessary fee, procure extracts from the criminal registers. Those who are anxious in regard to the moral character of their agents, as railroad, navigation, mining and other companies, no longer receive any employés and workmen, who do not justify a negative certificate, indicative of the purity of their antecedents. As regards individuals, they obtain in the registers certain and authentic information concerning all those whose moral character they have a serious interest in knowing.

In a word, as the keeper of the seals of France said in his circular of the 6th of November, 1850: "This institution is a worthy and noble encouragement to honest men, a salutary advertisement for those whose conscience alone would not hold them firmly enough in the path of duty, and a terrible punishment for the criminal, who will seek in vain to escape the reprobation by which he should be smitten."

Such, in its origin, its aim, its organization, its functions and its principal results, is the institution of the criminal registers.

If, in the brief expose which I have just attempted, I have not succeeded in giving a sufficient idea, I beg those who would wish to make a more complete and detailed study of the subject, to resort to the published official documents thereto relating, of which I have epitomized the entire collection in the appendix of my book on the Amelioration of the Criminal Law.*

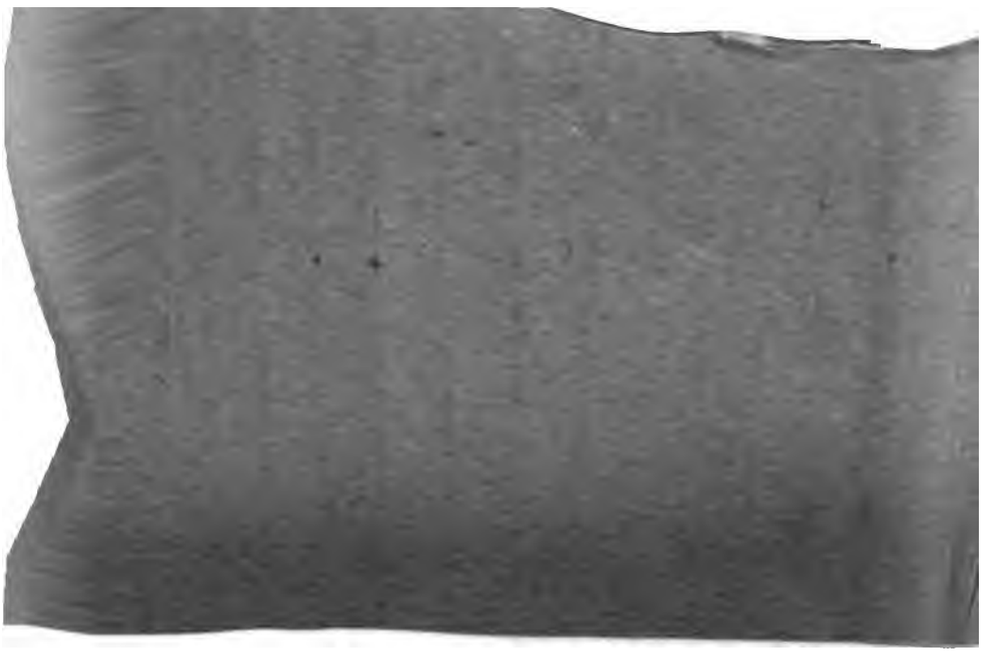
V.

The system of criminal registers, by the very simplicity of the principle which constitutes its basis, is easily applicable to all counties.

In effect, there is no civilized country in our day, where the birth of an infant is not authenticated by some act inscribed on a register and preserved in the archives.

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* Vol. I., Appendix, p. 647; vol. II., Appendix, p. 615; Paris, Cosse and Marschall, 1855 and 1864



In like manner there is no state, whatever be its political form, whose territory is not or may not be divided into as many judicial circuits or districts as there are criminal courts.

In short, every one of these courts necessarily has some records or summaries, in which are transcribed the sentences which it pronounces, and a register or other functionary specially charged with the compilation and conservation of these records.

Such being the case, to organize, in any county whatever, our system of criminal registers, the following measures are sufficient:

1. That a register of births, if it does not already exist, be kept in duplicate copies, and that, every year, one of these duplicates be deposited in the registry of the tribunal of the district.

2. That each clerk of the courts of the district have a case made, containing a certain number of movable registers, arranged in alphabetical order.

3. That the certificate of every conviction had be immediately addressed, of the form and dimensions prescribed, to the tribunal of the native district of the convict, to be there placed in its proper class, in alphabetical order, in the register, so that a copy of it may be delivered whenever needed.

4. That, finally, every magistrate, prosecuting an offender, be required to obtain from the clerk of the tribunal of the district of which he is a native and to attach to the proceedings the certificate recapitulative of all the previous convictions against the said offender, collected and classified in his said native district.

If this organization has been able to render to justice so many signal services in a State restricted and centralized like France, it would render incomparably more in the American continent, a vast confederation, composed of a large number of different States, all having their own proper autonomy, their legislatures, their administrative and judicial authority, and only connected together, with a view to their general and political interests, by the guarantee of a compact of national union. In a great country so constituted, in the midst of the perpetual movement of mutual immigration caused by the necessities of commerce and industry, in the midst of this incessant coming and going, incapable of exact measurement among the inhabitants of so vast a territory, different for the most part in origin, race, language and habits, how will the judge be able to know the moral character and antecedents of a criminal, who has pursued his adventurous career successively in the different States of the confederation? How will he be able to determine the exact measure of punishment necessary to his reformation? To obviate so grave an inconvenience there is, as I conceive, but one means: to establish, b

the aid of the criminal registers, an easy and sure process of interchanging information between all the criminal jurisdictions of the United States.

These ever-present judicial relations, in the double point of view of the public morality and security, would be, among the numerous governments of the confederation, a new bond of confraternity and of defencive union, which could not but strenghten the salutary action of the central power.

The American people, so full of fervor and force, so audacious and persevering in their enterprises, would quickly surmount whatever social obstacles the execution of such a measure might encounter.

To inaugurate for America a moral progress like this would, it seems to me, be worthy of the new President of the United States, whose generous impulses, high intelligence, firmness of character, and spirit of enterprise and decision, are known to all.

He would thus deserve well of justice and of his country.

BONNEVILLE DE MARSANGY.

PARIS, 10th Dec., 1868.



XXX. THE PRISON QUESTION IN RUSSIA.

COUNT W. SOLLOHUB, DIRECTOR-IN-CHIEF OF THE HOUSE OF CORRECTION AND INDUSTRY OF MOSCOW, AND CORRESPONDING MEMBER OF THE PRISON ASSOCIATION.

[Translated by the Corresponding Secretary.]

Penitentiary science must acknowledge in Russia, as in all Europe, a past to be regretted and a degree of hesitation in regard to the future.

Reform is decided on in principle, but the system to be adopted has not yet been determined by law. The means of execution have not assumed a definite form. This hesitation is natural. Nowhere has the science of punishment yet found the true reason for its existence. Nowhere has it been consolidated into a general, logical and harmonious system.

In this respect Russia, free from preconceived opinions, has the great advantage of being able to profit by the experience of other nations. Her geographical conditions give her a freedom of action denied to countries less productive, less vast, less populous. The topography of a country cannot be without influence upon its penal code. It is this which impedes or facilitates the realization of principles. Thus, before proceeding to one of its most important reforms, the imperial government of Russia must study the question under these two aspects, that it may not be compelled to reconsider measures too hastily adopted.

Nevertheless, there is abundant cause to hope that Russia will soon have a penitentiary system of her own, and that it will take for its basis the four following principles: economy, humanity, nationality, reformation. The general administration is actively at work, special committees are busy, individual experiences are sought. Propositions for new laws will soon be submitted to the council of the empire.

Before stating the nature of these propositions, it is necessary to explain the causes which make them necessary.

The prisons, properly so called, in Russia, were not used for punishment, but served as places of detention while awaiting punishment, which consisted in corporal inflictions and banishment or transporation. Each chief of a province or district had his prison (*ostrog*), which served as a place of safekeeping for persons under arrest, and of deposit for those who had been sentenced to banishment. The prison, therefore, had no penitentiary purpose; it was but a formality and a transition. Its aspect was, in general, most melancholy. The lack of space,

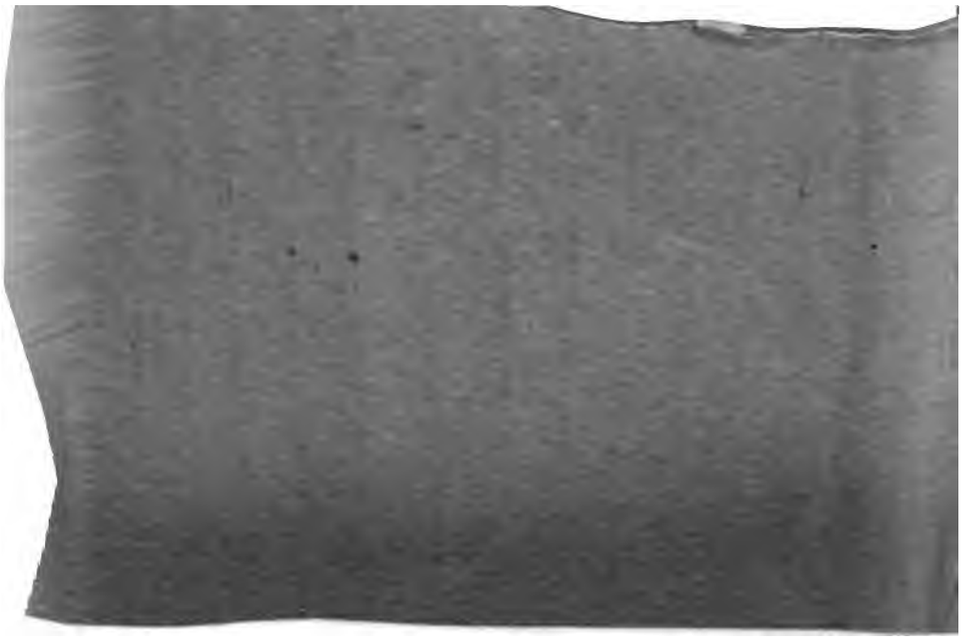
air, discipline and labor, the extortions of overseers, and the sinister rations formed, in certain localities, pestilential dens, where sex, age, and all degrees of innocence and guilt were commingled. Despite the law, these dens were real schools of vice. They inspired in the people more of pity than dislike; abundant alms encouraged drunkenness, gambling, quarrels, and sometimes even open contentions resulting from religious divisions.

In the common dormitories, where the prisoners lay pell mell on stools covered with boards, the disorder reached its height. The tribunals, without publicity and intrusted to judges often corrupt, caused the proceedings to drag along with culpable slowness. We have seen wretched prisoners await, for ten and fifteen years, the decision of their fate; it was punishment which became their deliverance.

Besides the prisons (*ostrogs*), there were instituted in Russia, in the reign of the Empress Catharine II, in 1775, houses of correction and of industry, with bureaus of public assistance attached. These bureaus, whose intent was officially philanthropic, had under their care hospitals, alms-houses and lunatic asylums. The result was great confusion, owing to the existence, in the same localities and often in the same buildings, of institutions so different in their scope. The houses of correction and of industry, separated by law, formed in fact but a single institution. They were called correctional, but as amendment and labor were wanting, this institution became a fictitious penitentiary, in which were found all the abuses of the *ostrog*. Moreover, the law admitted into these houses not only those who had been convicted by judicial process, but those also who were detained by an arbitrary decree of power. Thus there were received into them serfs sent by their lords, children confined by the wish of their parents, and the members of various corporations on requisition of these latter, because of some bad conduct or of negligence in the payment of taxes.*

This state of things imperatively demanded a radical reform. But the time for public trials and for the abolition of serfdom and corporal punishment had not yet come. It was thought that the disorder might be remedied by a modification of the system of inspection. Prison committees were established in 1819 in all the cities of the empire. These committees were presided over by officers of state. The number of members was optional. Whoever engaged to pay a trifling assessment had the right to participate at the sessions. Private charity and the administrative principle, it seemed, must be

* The law for these two last classes is not yet repealed.



nfounded in one common end. Meanwhile, that happened which is evitable where civilizing and philanthropic ideas have not yet been veloped.

The committees did nothing for the philanthropic supervision of the prisons, but through the votes of their delegates, they seized upon the management and administration. Barren formalities were replaced by formalities still more barren. The power of action, represented by a pedantic, optional and irresponsible system, was, of necessity paralyzed by indifference. The text of the laws was excellent; their application was but an external form. Thousands of young and strong men languished in pestilential jails, condemned to stupor and absolute inactivity. Thousands of arms remained idle and inert in a country, which lacked workmen in the midst of productive forces.

The anomaly was too manifest not to attract the attention of the government. Russia began to awake from her torpor. She perceived, that above all things, she must seek to augment her resources by shortening the distances of her territories, and by establishing a vast net-work of highways and railroads.

Prisoners subjected to corporal punishment, might evidently be utilized for this kind of work; it was the first step toward a new order of things.

The penitentiary idea was still in abeyance, as the labor of constructing embankments could be prosecuted only half the year. It necessitated an ambulatory life, the absence of reformatory discipline, and a compulsory equality between men of different aptitudes. It was, besides, dearer than free labor. But at length the idea of compulsory labor for the convict elsewhere than in the mines of Siberia, was admitted. A decree of Nicholas I, of glorious memory, instituted companies of the civil and military orders, composed of correctional prisoners, engaged on public works. All these companies or gangs were subjected to military discipline. Those of the civil order were under the control of the minister of roads and communications; the others, under that of the minister of war.

This experiment, which already afforded glimpses of a new era, did not as yet include a general system, for the bases of such a system had not been proclaimed. It was reserved for the regenerative reign of the present sovereign to give publicity to the tribunals and to abolish corporal punishment.

Since then, the *ostrogs* are no longer gloomy dens of public justice. All iniquities fall before the full day. The *ostrogs* are now only places of preventive detention. Formerly the detention was more cruel than the punishment; at present, it is simply a preliminary to it.



Punishment is no longer that barbarous flaggellation, which debased the dignity of man to the level of the brute. Man himself, thanks to the thrice blessed abolition of slavery, has become a free citizen, subject only to the authority represented by the law. The punishment of a freeman can be only the privation of freedom.

Before this great principle, all the ideas of the middle ages, all the exclusive privileges of castes and corporations, give way. Imprisonments, by administrative and arbitrary orders, disappear. Law becomes the sole force, and security a means of civilization.

Since the beneficent reforms of the present reign, whipping is no longer among the punishments imposed by the courts. There remain, therefore, only imprisonment and exile.

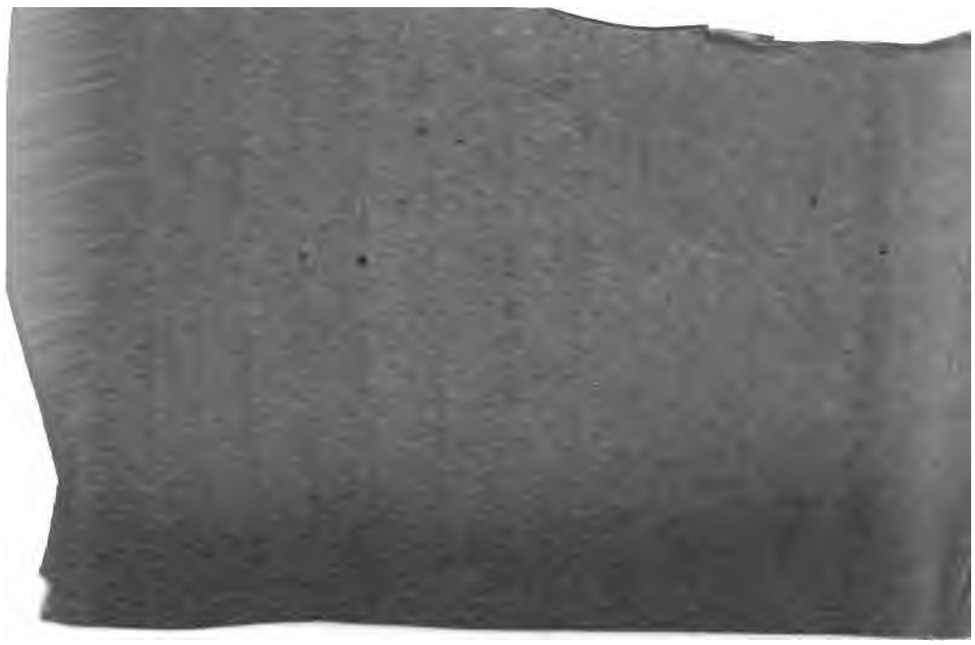
Imprisonment, being no more a protracted torture, demands a rational or penitentiary organization. This organization exists only in individual cases; it is experimental, it does but foreshadow general measures.

The question of the utility of transportation meets us at the same time. Statesmen descant upon its grave inconveniences. Public officers throw out the idea that it would be highly desirable to replace banishment by prisons, scattered throughout the empire. This would render necessary a general penitentiary system, and would confine all penal measures, beyond fines, to the privation of liberty, with sentences of different lengths, and a discipline suited to the different classes of prisons. Such is the condition of things at the present time.

The old prisons still exist, but the reasons for them have ceased. All ought, in virtue of the new reforms, to take on a new character. It is more than probable that the order will first be established for imprisonment, and that the principle of transportation will be discussed at a later period. As in England, it is preventive and correctional imprisonments which will first demand reform, so the imperial government will, it is probable, first give its attention to the measures necessary for preventive and correctional imprisonments, reserving to itself the verification afterward of the difference which may exist, as regards transportation, between Russia and England.

A complete system of simultaneous measures would evidently be too vast, and would burden the treasury with charges too considerable. For the time being, what seems most necessary is, to change the *ostrogs* into detention prisons, and to convert the houses of correction and industry, as well as the companies or gangs of prisoners, into penitentiary refuges of two degrees.

An experimental prison for persons sentenced to an imprisonment from two days to a year, by a judgment of justices of the peace or



her courts, has been established at St. Petersburgh for 800 prisoners. Another prison, which has for its aim correctional detentions of more than a year, has been inaugurated at Moscow, for 400 prisoners.

These two prisons have been organized in anticipation of a general system. This system provides, as its first basis, for an exact classification of the prisoners, according to their guilt, that is to say, according to the duration of their imprisonment. In its completeness, the system will embrace four classes of prisons.

1. Preventive prisons — houses of detention. 2. Houses of correction — maximum of imprisonment, one year. 3. Houses of industry — maximum of detention, five years. 4. Convict prisons (*maisons de force*), which should replace transportation — maximum, for life. A system of colonization would serve as corollary to this fourth class.

There is at St. Petersburgh a penitentiary on the Auburn plan. This penitentiary, designed for 175 prisoners, is under the control of the minister of marine. Unhappily, the heavy expenses which it involves do not allow it to be taken as a model, notwithstanding the excellent arrangement and extraordinary cleanliness by which it is characterized.

The municipality of Moscow has just opened, at its own expense, a prison for persons sentenced by justices of the peace to an imprisonment from two to three years. This establishment, carefully looked after in its details, but for sentences of too short duration, is distinguished by the moderate expenses which it involved. These expenses did not exceed 100 roubles [$75] per prisoner, in an edifice already existing, but now appropriated to a new end. The same expenditure sufficed for the prison established a year ago in St. Petersburgh, under the same conditions. The prison inaugurated more than a year since at Moscow has cost 200 roubles per capita, owing to the fact that the building which had to be used for it was insufficient, making necessary many new erections. But there is a wide difference between these moderate expenses and the enormous cost of cellular penitentiaries.

The idea which has dominated this tendency to economy in the buildings is this: that where every prison costs the price of a palace, an equitable general penitentiary system becomes materially impossible. There will be privileged prisons and prisons in disfavor; there will be, perhaps, too much attention given to one class of prisoners, too little to another. When this is the case, justice becomes injustice.

Nothing is more natural than that the taxpayers bear the expense

of social security; but that they should be burdened with ha
charges for experiments which are isolated and therefore insuffic
—experiments which conduct to no *system* of measures, with
which social security cannot be assured, and which aid only the fo
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expensive phantasy, but for a stable principle of general u
What is superfluous in one prison often deprives another of wh
indispensable; society gains nothing by it, but, on the contrary
thereby involved in much fruitless expense. The cost of cells in
model prisons of Europe—Pentonville, Moabit, Bruchsal, Ma
etc.—is on the average 4,000 francs each. If Russia were to repla
transportation by convict prisons, there would be at least 100,0
prisoners to lodge. This preliminary establishment would involve
this rate, a disbursement of 400,000,000 francs. The budget woul
furnish, perhaps, 4,000,000 a year. At this rate, a century would b
required to complete the system, and then it would be necessary t
commence anew, for the first structures would already be worthles

Thus, for Russia at least, a costly system of imprisonment is a
absolute impossibility; it would be the vessel of the Danaids.

There is but one system, which is at the same time economical
rational and logical in all its parts, that can be taken into consider
tion. If the adaptation of the old buildings could be effected, a
experience has shown, for 100 or 200 roubles per capita, Russia might
give to the world the first example of a complete penitentiary system
established in a period of ten to fifteen years.

There are actually seen in Europe, in the same country, often in
the same city, prisons complicated and prisons simple; cellular pris-
ons and prisons with common dormitories. It is the commonly re-
ceived belief that the cellular *régime* is the one which approaches
nearest to perfection. But if so, we may ask why a government
which knows where perfection lies does not accept it as the uniform
basis of its acts? Can it establish, can it tolerate, at the same time,
the good and the bad? We may cite the remarkable fact, that in one
of the most highly civilized cities in the world, it is actually proposed,
by the side of a cellular penitentiary, to erect a prison for 1,200 con-
victs, with common dormitories. Men, women and children will be
sheltered within the same inclosure. The length of the imprison-
ments will vary from two months to five years. Thus there will be
two great prisons, side by side, in the same capital, one of which will
be built on one plan, the other on another plan, which will not admit
a classification of the establishments by sex, by age, or by degree of



inality. Would that be, then, the last word of science? Would ave returned to the point of departure? Is progress no longer sible? Is truth not to be found? We cannot admit it. Truth is ays simple; it is in too deep a search for it that we place ourselves a distance from it. If we require of prisons exact classification, se- rity, health, morality, discipline and work, it is clear that all these re- ts can be obtained without weighing too heavily on the chest of the ate. For this there is no need of warming by steam, nor of ruinous ntilation, nor of cast-iron galleries running the length of the corri- ors. The end should be attained, but not exceeded. It may be affirmed hen, with certainty, that the problem most important in the present tate of penitentiary science, is a problem whose solution belongs to he architects. It is, to find the means of establishing prisons, with he conditions desired, and with the greatest economy possible. It is experiments of this kind which have been pursued in Russia under the lead of the minister of the interior, and, thanks to the initiative of ex-minister M. de Walouiff, these experiments seem not to have been without fruit; the future will show. More ample details will be given in the progress of this paper, but the question is not one that belongs to any single country. It is an international question. In the disbursements required by prisons, there is, besides the expense of erection, the cost of repairs and support. The labor of the prison- ers already contributes, in Europe, to cover a part of these outlays. In Russia, this has never been the case, except in proportions the most diminutive, almost indeed nothing. When once the labor of prisoners produces a revenue adequate to their maintenance, practice demonstrates, even more than theory, the need of a classification of prisons according to the duration of imprisonment—short duration, medium duration, long duration. The revenue of prisons will not be considerable, unless they are based on this principle. If the same establishment contains inmates sentenced from two months to five years, it is clear that there will be continual trouble in the re- distribution of labor; whereas in the classification by durations of sentence, each duration has a distinct character of its own. The short duration is engaged principally in simple mechanical work; the medium duration, in industrial labors; the long duration, in industrial and complicated mechanical labors. These are the most lucrative; and this consideration is an argument against the non-value of trans- portation. All the tendencies of penitentiary science—a science still young—have been directed to one end, that of obliging the depraved man to become virtuous. Would it not be more simple first to furnish him with the means of such regeneration, by impart- ing to him a fondness for labor, and by enabling him to return to



society what he costs it? This is the point of departure of a new theory, on trial in the penitentiaries recently established at Moscow and at St. Petersburgh. It merits some explanation.

The great majority of crimes in Russia proceed from recklessness, indolence, intemperance, misery, and the want of principle and good habits, that is, of education. The people, at bottom, have great characteristic virtues — generosity, humility, the sentiment of justice, the need of association to support their feeble morality, and, above all, Christian faith, little enlightened no doubt, but all the more intense. Such are the enemies they have to combat, and such the helps available in the struggle.

The best means to destroy recklessness, indolence, intemperance and misery is found, manifestly, in the habit of work; but that labor may become a habit and not a vexation, it is necessary to give it a degree of liberty. It is necessary that the laborer choose his work, that he become fond of it, and that he find in it profit and health.

Here is the problem to be solved.

We have too long confounded all sorts of labor in one general acceptation. We have forgotten that it may be, in turn, an annoyance, an employment and a regeneration.

There are, then, three species of labor — that which is exacted, and is done reluctantly; that which is performed mechanically; and, lastly, that which calls forth all the efforts of zeal and of the will — that is to say, a beneficent victory of the man over himself.

There may be, then, in prisons three sorts of labor. To subject them all to the same rule would not be logical. If it is sought to replace the sterile principle of vexation by the free action of the will, such a procedure would not be logical either in point of ethics or in point of profit.

The new Russian penitentiaries have, therefore, made trial of principles not heretofore employed, but whose results have been remarkable.

These principles are:

1. That every prisoner received into the penitentiary is sentenced to ten hours daily of compulsory labor, yielding no reward. It is penal labor, labor exacted, labor against the grain, rough manual labor.

2. That every prisoner may, nevertheless, free himself, in part, from this statute labor by choosing a kind of occupation less fatiguing and more lucrative. It is permitted him to pass to mechanical labor, where a third of his earnings will go to his own profit, and two-thirds to the chest. There will now be only four hours of com



ılsory or gratuitous labor daily, which is still required, that the lea of punishment may never be forgotten.

3. That every prisoner has, moreover, the right to choose a trade or himself, and, in that case, not to do more than two hours of statute labor daily. The period of apprenticeship brings no wages, but, as soon as the apprentice becomes master of his trade, two-thirds of his earnings belong to him, and the chest receives but one-third.

The result is, that not an individual is willing to do ten hours of statute labor; that all the prisoners learn trades with a zeal which it is sometimes necessary to check, and which makes them forget the recklessness and indolence that brought them to crime.

Of all the motives that act on man, there is none stronger than that of personal interest. It thus becomes possible for the prisoner to acquire three sorts of capital — the capital of knowledge, the capital of habit, and the capital of money.

Recklessness and indolence being conquered, it remains to conquer misery.

If cases of relapse are so frequent in Europe, it is because the prisoners leave the prison-house as poor as they went in, and very much more wretched. A general odium attends them; they have no guide but despair; and society, which repels them from its contact, forces them, so to speak, to re-enter the path of crime from which the prison had turned them away. Philanthropic societies are powerless; they may be deceived; their number is restricted; their activity can but be incomplete. The best guide for the man is the man himself, regenerated by labor and experience. What he wants is not counsels; it is money to undertake a business, which he knows will be more profitable than crime.

Money gained by the sweat of the brow and by force of will and zeal, is money which is respected. It is not squandered in debauchery, like the product of charity and theft. This truth is incontestible. To take away from a man the possibility of beginning a new life because he is in prison, is a dangerous and cruel principle; to wish a man to reform and re-enter into society, and at the same time to deprive him of all means of doing so, is not logical.

The new Russian penitentiaries offer to prisoners the means of gaining a peculium, thus assuring to them a support on their discharge. It is not by courage or force of will alone that misery is combatted; there is need of some capital as well. Without this lever, society will ever destroy on the one hand what it may have accomplished on the other.

The fear that the advantages accorded to labor in the prisons will serve as an encouragement to general bad conduct cannot be well

founded. Privation of liberty and subjection to an [illegible] will always act as a salutary terror. There are no [illegible] dates for prison; there are only vicious natures, always [illegible] wares, and, by casual misadventures, the sequel of a [illegible] passion.

Such are all the cases which end in imprisonment: the [illegible] takes part there; the man dreads the prison as he does the [illegible]

In being too severe, theorists arrive at the end which they [illegible] avoid. It is understood that prisoners who already knew [illegible] before their incarceration, and, above all, recidivists, cannot enjoy [illegible] same advantages which are reserved to prisoners punished for the [illegible] time, and to those who were without a profession. But the experiments inaugurated at Moscow have, as yet, seen scarcely any recidivists. On the contrary, it has been proved, that a great number of [illegible] have earned an honorable livelihood after having received their [illegible] instruction in the penitentiary. It is a manifest proof that the [illegible] theory is worthy of attention, and that, from the classification of labor in prisons, there may arise a new phase in penitentiary science. At all events, it proves, beyond doubt, that a prison can yield considerable revenues only when the inmates find their profit in the organization of its labor. Forced labor will always be bad labor. It will never produce more than half what it might yield.

In Russia, all experiments of prison labor, without reward, even [illegible] problem to undertake, have been without result. But when a personal interest has been brought into play, labor has had full success. Alms have been forbidden, and have been replaced by wages. One-tenth of the earnings appropriated to the prisoners is at the disposal of the [illegible] to be expended in the purchase of tea, tobacco, articles of food, or in all those the key of which is intrusted to one of the prisoners chosen by themselves. This chief is kept in the strictest order by the establishment. Every prisoner has a [illegible] certificate [illegible] which records his conduct and his labors. By means of this certificate [illegible] of the sum they realize a year. The [illegible] are made [illegible] labor in order. The head of these is the [illegible] [illegible] the prisoners [illegible]

The [illegible] of the convict [illegible] and prevents the [illegible] and [illegible] with their family [illegible] The [illegible] [illegible] by the prisoners have [illegible] year.

The [illegible] of the [illegible] [illegible] the [illegible] [illegible] [illegible]



er natural. On one side there is the hope of reconciliation with ety; on the other, the despair which seeks stupefaction in vice. o think of changing the moral character of a man and forget material future, on which his own thoughts are ever intent, is not way to destroy evil in its principles. To rely on the casual and ky support of a philanthropic society is not the method to be em-yed in reëstablishing a man in all his original force; it is but to mise leading-strings to a sick child. The new theory seems pable of application to all the degrees of penal detention. By mitting two classes of prisons for correctional cases, and one only r convict prisons (*maisons de force*), and by dividing criminality, t into two classes — misdemeanors and crimes — but into three, isdemeanors, trespasses and crimes, we should arrive at the follow-ig consequences: The first two categories will accord to the prisoner ie right of reëntering into society. All the wages he shall have arned will be given to him on his release, to aid him in his reha-ilitation. The third category will not accord to the prisoner the ight of reëntering into society, and all the wages he shall have arned will be employed on his discharge to colonize him and pro-vide for him a conditional property, dependent on his good conduct. The duration of imprisonment in the three classes of prisons might be abridged in consideration of the credits gained and the good con-duct of the prisoners. Imprisonment for life, even, might in this case be reduced to twenty years.

In this wide acceptation, the theory assumes an importance which would merit the grave examination of an international congress. The beneficent initiative of the Prison Association of New York is a fact in which we cannot sufficiently rejoice. It proves that even in America, the home of penitentiary science, that science has not yet said its last word, and that it has but awakened doubts, after having occasioned throughout the civilized world hasty and onerous expenses.

A new system, then, would be indispensable. A system, which should take for its basis economy and an organization of labor profitable both to the state and the prisoner, could not be rejected without examination. The idea that this would be to create rewards of vice and manufactories of crime could not be admitted, for reformation would then have its word to say, since it would rest on two great principles—humanity and nationality.

As the death penalty has had its just reactions, so the isolation of man, the obligation imposed on him of perpetual silence, belongs to principles against which the sentiment of the human race revolts. Man has no right to contravene the Divine will. The idea that the criminal finds in himself his best counsellor, is open to the gravest



doubt. Often the most corrupting society will be less pernicious to him than the prostration of despair. When once he has no longer an example before his eyes, he has no more any point of comparison, darkness settles down upon his soul. This is, as it were, morally rotted, and it remains only that his will perish.

There is a species of liberty which must be respected in the greatest criminal, even when taking from him all power of future injury. Is it not strange that the country which most respects liberty should have given an example of extreme despotism? It has been found necessary to mitigate solitary confinement by conversations with the chaplains, the overseers, and visitors to the prisons. But are these conversations sufficient? Are they numerous enough? Do they not place the prisoner in a position of humiliating dependence in the presence of his interlocutor; and is not the want of equality rather weariness than a relaxation?

In a word, is constant inspection by day and by night possible, in corridors inclosing hundreds of barred but living graves?

In proportion as the human race advances, all the sciences ought to advance with it, leaving behind, however, truths which have been settled beyond controversy. The theory of absolute cellular imprisonment has had its day; but it has left one truth, viz., that complete isolation is desirable for persons held on a charge of crime by order of the committing magistrate; for short imprisonments; and, finally, for disciplinary punishments.

In the first case, where it is only a measure of precaution, complete isolation ought to be, so to speak, excused, and should accord to the prisoners all the comforts possible, without injuring the course of justice; in the second case, punishment should be rigorous, and in the third, more rigorous still. Beyond these three cases, there is no reason why isolation should exist. It cannot be considered as the basis of a general system, first, because it is dear, and secondly, because it is inhuman. It would, however, be equally inhuman to lodge convicts in common chambers, and abandon them to themselves during the night. This would be to open an academy of vices, a nursery for bands of robbers. It is needful to repeat that it is at night, in common dormitories, that all excesses are committed; that all tales of crime are recited; that all plans for the future are formed; and that gambling, drunkenness, debauchery and brawls find a free field.

Between extremes there is always a mean; it is in this mean that truth is found. The mean between cellular separation and general license is discipline by day and isolation at night.

It is on this idea that the new Russian penitentiaries have been founded. They do not recognize the right to impose absolute silence,



They seek to prevent conversation from becoming hurtful. They know that every prohibition awakens the desire of infraction, and that every vexatious prohibition excites a sentiment of revenge; whereas it is reconciliation with themselves and with society, which would cause to germinate in the hearts of prisoners. If their day's work is regulated with precision, if they are subjected to a watchful supervision, if they find their own advantage in obedience to rule, what harm can there be if they exchange a few words? By prohibiting such an indulgence, there will be a continual fermentation of hatred, and they will moreover soon invent a language of signs, a telegraphy of blows struck on the wall, or some other means of communicating. It is then that their imagination will put itself to the rack to express their thoughts, and these will be corrupting. Is it not more rational to make them understand the advantage of obedience, than to agitate their minds with the desire of disobedience?

Arrange the workshops and the labor in such manner that the prisoners will not think of forming cabals; let each shop choose for itself a chief, who shall be responsible for order; and let there be found in this same shop a monitor and an overseer of the administration, and all words not permitted will disappear of themselves; it will not be necessary to forbid them.

Experience has shown that the trade of weaving is well suited to prisons. Every workman is isolated without perceiving it. The noise of the shuttles prevents all conversation. A preventive or negative discipline is to be preferred in penitentiary management, in which it evinces a higher ability to hinder than to forbid.

By separating the prisoners at night into cells fastened by keys, it is clear that nocturnal conclaves and parties for gaming and debauchery are no longer possible. The occupants of neighboring cells may exchange some words, but people talk little when they do not see each other. Besides, it will be necessary that the administration so place the prisoners that dangerous contiguities will be avoided. Quiet should be required, that general sleep may not be prevented. The dormitories should be lighted all night, and guards should move about to maintain the tranquillity which ten hours of labor ought sufficiently to assure. It is the Auburn system simplified.

The cells at St. Petersburgh and at Moscow have been arranged in a different manner, according to the original construction of the buildings used. At St. Petersburgh there were four great halls; a double range of cells, for 192 prisoners, has been placed in the middle portion of each. At Moscow, where it was necessary to utilize a range of chambers, the cells have been placed on the two sides, the



doors having been replaced by open arches, so that the overseer may embrace the whole in one view.

The cells, which are numbered, are furnished with iron bedsteads with mattresses and pillows, filled monthly with fresh straw. Each bed has linen sheets and woolen blankets. A picture and a printed copy of the night regulations are nailed to the wall, as also two hooks — one for a towel, the other for the prisoner's clothes. A covered night vessel, numbered, is found under every bed. The prisoner must keep his cell clean, and every injury draws after it a fine or retention of earnings.

Leaving the cell at night is forbidden, except in serious sickness, and only by order of the director. The cells are closed by padlocks.

The ventilation is exceedingly simple. This grave condition of health usually involves enormous expenses in model establishments — expenses quite inadmissible in an economical system of imprisonment. A new process, the right of which belongs to M. Sokhanski, has been applied to the penitentiary at Moscow. This process combines the atmospheric heating of the house with an arrangement of wooden pipes, covered with felt and lime, starting from a common receiver and terminating at the vanes of the roof.

It is not difficult to secure a healthy temperature in the dormitories, which are used only at night. During the day the prisoners must be found in the workshops, the refectory, or the courts and gardens.

It is a matter of course that every establishment have its school, its library, its chaplain, its hospital, its physician. The penitentiary at Moscow, having a large ground plot, has been able to divide itself into three great sections. The first contains the lodgings of the assistant director, the chaplain, the assistant surgeon, the professional monitors and the guards, as also the magazines of provisions. It is here that every thing is concentrated which is necessary for the service of a prison, without however impairing its order or its beauty. It is separated from the adjoining section by a broad road.

The second section has three courts. At the gate of the first are two pavilions, one forming a chapel with a box for the offerings, the other a lodge for the sexton. The first court is appropriated to the administration. There are found on the lower floor, the guard-house, the lodgings of the chief keeper, the chancery, the archives, the depository for the prisoners' effects, the grated hall for visitors, the kitchen, and the bakery. In the second story are found the lodgings of the director and the hall of deliberations of the higher authority, communicating with the dormitories of the prisoners.

The second court forms a parallelogram inclosed within the four



of the building. At the extremity rises a steeple, under which passes to enter the church, which is resplendent with gilding and frescoes. It is the only luxury tolerated in the prison. On the two sides of the church are arranged, in two stories, the sleeping cells. The lower story contains, in addition, the apartment where the prisoners wash, the punishment cells, and the refectory, which also contains the library and is used for a school room. Water-closets are arranged along the sides of the building in both stories. Their construction combines with the general system of ventilation, without necessitating any exceptional expenses.

The third court, connected with the second by a carriage way, forms also a regular parallelogram, bordered by wooden buildings forming workshops. Each trade has its separate locality, and workmen of different trades are prohibited from being found together, in order to avoid loss of time through idle conversation.

Each workman wears on his clothing the distinctive badge of the shop to which he belongs. These badges are of different color and form for the elders, the master workmen, and the apprentices. The clothing consists of Russian linen undergarments, frock coats of coarse gray twilled cloth, and pantaloons and buckles. Furs of sheepskin are furnished to those who work in the open air during the bad season. Each shop is under the care of an industrial tradesman, who furnished the raw material, pays the wages, and carries away the fabrics when finished. By this means the labor of the prison does not come into competition with private industry, but is rather an aid to it. Moreover, it requires no capital, and does not withdraw the administration from its special duties by imposing upon it the cares of an industrial enterprise. It is a matter of course that the instructors of the workshops busy themselves with the workmen whom they are teaching. Their interest in them does not cease even after their liberation, and their solicitude is more certainly bestowed upon the worthy than the patronage of philanthrophic societies.

From the first court a road passes along the hospital from the section of the men to that of the women, which forms a distinct prison. This is built of wood, such structures costing in Russia three times less than those erected by masonry.

The female prison consists of five houses and one pavilion. It contains an apartment for visitors, the lodgings of the keeper, the sleeping cells, a toilet chamber, a refectory which serves as a chapel, school-room and library, a kitchen, a depot of clothing, punishment cells, a wing reserved for female labor, a wash-house and lodgings for a married keeper, whose wife is the stewardess of the establishment.

This prison is subject to the general administration and manage-



ment, but has no other point of contact with the remaing sec
It has accommodations for 130 prisoners.

This arrangement seems natural, provided there is a sufficient d
tance between the men and the women; but this requires a la
extent of ground. The penitentiary of Moscow has not less th
seven acres, which afford space for all the buildings, and produc
amount of vegetables of very considerable value.

The penitentiary of St. Petersburgh offers the same advantag
though in a less degree; but experience has already proved
urgent need, for each prison, of land to be cleared, it being necess
to the sanitary régime of the prisoners that mechanical and fi
labor be combined.

The penitentiary of St. Petersburgh admits some industrial la
at the risk of the administration; but the experiences are too rec
to render a comparison of the two systems possible.

Meanwhile, under both systems, the prisoner sees that there is
purpose to wreak against him a fruitless vengeance, but instead to o
him the possibility of regeneration by the act of his own will and t
profit which results from it.

The prisoner is no longer a beast of burden, condemned to a r
opposed to all his instincts; he is a human being, fallen certain
and held to punishment, but able still to make for himself a futu
He does not live in an atmosphere of scorn and violence; he fe
that humanity is respected in him, even after his fall; and it is n
indeed that he does not comprehend the Christian justice wh
sustains him, even when inflicting punishment upon him.

It is not by humiliating men that we can lead them; it is only b
awaking in them the sentiment of truth and justice. Thus we ca
impose on prisoners only duties, and always duties. Some *right*
must be accorded to them also, to develope in them the appreciation
of justice and injustice.

Thus there have been made at Moscow experiments in prison dis
cipline, which have yielded results worthy of attention. It has been
permitted to the prisoners to institute for themselves a tribunal to sit
in judgment on their peers; their decisions have always been dis-
tinguished for their equity. Thus a theft of little importance had
been committed in the prison. Under the authority of the director,
the prisoners formed an inquest, and discovered not only the guilty
party, who was a young apprentice, but also his counsellor, who was
an old thief by profession. They decreed forty stripes with a switch
to the delinquent, and eighty to his counsellor. The sentence was
executed, and was more useful to the prisoners than would have been
all the rigors of the administration.



The following fact is still more curious. A quarrel, attended with violence, had taken place between a prisoner and an under-keeper. The case was grave, subordination being the foundation of all prison discipline. The judges were immediately chosen, but they sentenced their comrade to only a light fine. The decision seemed partial. An inquiry was ordered. It was proved that the keeper was drunk, and that he had insulted and struck the prisoner without provocation. The prisoner had only parried his blows. He had done wrong as regarded the administration, and been required to pay a fine; but, having done no wrong to the keeper, he could not, in that relation, be liable to any punishment. The sentence was affirmed and the keeper dismissed.

Experience has shown that, with few exceptions, prisoners are men, the same as others. There are few natures bad; there are a great many feeble. Men, corrupted to the core, are incorrigible; no system can cure them; and it would be utterly useless to spend money ever so lavishly in trying to change their character.

Feeble men need to be held up in a new course, and, for that, no large expense is necessary; all that is wanted is, first, justice, and then an artificial energy to replace that which is natural. But, to support energy, right and duty must be weighed. Without duty, right is license; without right, duty is persecution. What is true for the world is true for the prison.

The prisoner has the duty to submit to a frugal diet; he has the right to a healthy one. Give him, then, the right of assuring, through his own representatives, the quality of his rations.

It is the duty of the prisoner to submit himself to work, but give him the right to choose it.

It is the prisoner's duty to submit himself to punishments; let him have the right to earn rewards; and let these rewards be the possibility of shortening his sentence, of being chosen elder of his shop or mess; or some other prerogative.

It is only through right that duty takes root. Let the regulations, both those which relate to punishments and those which relate to rewards, be ever under the eyes of the prisoners.

At Moscow, we have sometimes heard prisoners discuss the kind of disciplinary punishment which should be given them. They maintained that they ought to be punished in virtue of such a paragraph, and not of such another. By this fact alone they already challenged the prerogative of rights; they were no longer brutes; they began to be citizens.

This leads to the third basis, which, it would seem, ought hereafter



to give form and effect to every penitentiary system — that is to say, to the principle of nationality.

The idea that the same system can be applied indiscriminately in all countries is an idea incapable of execution, and which affords occasion for a few observations. Every country has its topography, its climate, its traditions, its history, its character and its exigences. To subject the immeasurable expanses of the Russian empire to conditions required by the three British realms, would be no more rational than to apply the conscientious scruples of the Quakers in Pennsylvania to the objective usages of the Greek ritual. Religion is, beyond contradiction, the first principle of all human perfection. It is this alone which consoles, this alone which replaces the passions by humility, and a disordered life by a life without reproach. But every religion has its forms. Let Catholicism pursue its propagandism in the prisons — nothing better; for this, it has its orators. Let Puritanism shut up its criminals and cause them to enter into themselves by the reading of the Bible; it has for that the education which it gives. But the Russian clergy is civilized but in part; the religious education of the people is still at its dawn. They have, instead, a blind faith and the practice of religious ceremonies. The cellular régime for Russia would be not only onerous and inhuman, but also anti-national. The people would not understand it all. With few exceptions, the priest would address only some common-places to him; he would not be the prop of his feeble conscience. The reading of the Bible would be no refuge, since the majority of prisoners do not yet know how to read; besides, it is not enough to read the Holy Scriptures; it is needful also to understand them, and to acquire the ability to do so by previous education.

The Russian people have a profound veneration for the convent, for images, for ceremonies. That the imagination of the Russian prisoner may be impressed, the prison must resemble a monastery. The Russian boor understands nothing of an inward work, but he comprehends instinctively that in the midst of objects which he venerates, he must modify his habits of debauchery and evil conduct.

No beggar goes in Russia to the communion without putting on a clean undergarment. It is this clean robe that the prison must represent to the prisoner. Let him behold everywhere the symbols of his faith; he will never forget the respect which he bears for them. Does he see in the new penitentiaries a church richly decorated, with chapels and images on all sides? He believes himself to have entered an asylum of monks.

Instruction in the catechism relieves from school, which ought to be obligatory. Instruction in sacred music has been tried with a



cess which exceeds all expectation, considering that prisoners who do not know how to read have been able to sol-fa correctly.

Morning and evening prayers, grace before meals, the service of the Sabbath, and religious reading during the hours of rest, all come in aid of reformatory work. But individual influence on the prisoner, influence which has served for base to all American and European penitentiaries, cannot for a long time yet be introduced into Russia. Yet it must be confessed that nowhere has the collective principle been more developed to the detriment of the individual principle. Individuality disappears before association. Thus a village owns lands in common. Artisans unite in companies, and have a common chest. The decision of the majority has the force of law, and calls forth no protests. It would, however, be impossible to apply this peculiar characteristic to the penitentiary régime of other countries; yet it would be a pity to forget it in Russia, where it offers a guaranty of equity and common sense, over and above the measures taken by the administration — measures which, whether good or bad, appear always vexatious because they are the decrees of power. The more men are free to obey their own impulses when those impulses are good, and the lighter the grasp of the administration is made by reserving only the right of control, the more reformatory your penitentiary will become.

It results that, while preserving the immutable principles of justice, the penitentiary system of each country should maintain its distinct physiognomy.

The aggressive propagation of Christianity is not the principal tenet of the Greek faith, which expects more from divine grace than from human eloquence. Missionaries, special brotherhoods, the enthusiastic propagandists of Bible societies, and prison visitors are certainly worthy of the most respectful sympathy; but they belong to a different order of ideas, and it would be idle to call for and expect them, where the state of society has not yet created them. We can build nothing on what is *desirable;* we can build only on *what is.* By demanding what is impossible, we do not even accomplish what is easy. Russian society being communal, can the Russian prison be individual, so long as there are not, as a general rule, either ecclesiastics, or special employés, or tried keepers, or previous education, which may guarantee the individual action of man on man?

But, as a recompense, tradition gives conscience, probity, justice— all in one. Shall we, then, ignore tradition to go in search of what cannot be found? Is it not more simple to utilize the best points of association, and paralyze the bad? It is what we are attempting in the Russian penitentiaries.



Each trade in the prison forms a corporation or society. The s... chooses its elder, and its members are responsible for each othe... the habit of the country, and this habit facilitates the mechanis... speak) of the administration. But as living in common would b... cious, the regulations require separation at night, and by day an... able discipline, by which every moment will have its work, and ... prisoner his place. It is in that which is most repulsive to the ... nature, that it is necessary to seek a punishment which will b... sensibly felt. How many prisoners, tied down to a regim... which they were unaccustomed, have asked as a favor to r... to the pestilential *ostrogs*, where they had neither profit... sanitary care, nor cleanliness, nor good living, nor bed, nor ... clothing; but their day passed away agreeably to their own f... Submission was to them all the more painful, inasmuch as ... good sense of the mass of prisoners explained to them that e... thing in the penitentiary was just, and nothing was vexat... They were surrounded with the objects of their veneration, t... had lucrative employment, they were learning to read, they w... encouraged in what they knew to be good, they were hind... only in what they knew to be bad; but they had to struggle ag... the power of habit, that second nature in man. It is this whic... the commencement of all imprisonments of this kind, appears in... portable; but it is this, also, which constitutes the fourth and ... most important principle of every penitentiary system, that ... reformation. It is only persons completely unacquainted w... the practical operation of prisons who can affirm that a pri... well arranged, well governed, clean, and exhibiting the spectacle ... a population industrious and tranquil, can be an attraction f... amateurs of incarceration; it is indeed quite the reverse. The thie... and the assassin will a thousand times prefer some hideous litt... closet, where, in the midst of rags and disorder, they will still b... able to form plans for some new crime, or for effecting their escape. In the midst of order, inflexible as destiny, they feel caged and bewildered. It is at this point that the reformatory action of the prison begins. It does not change the nature of a man; it changes his habits, and his habits are one-half of his nature. The prisoner must form a just estimate of the discipline to which he is subjected, that he may not be filled with hatred and resentment; but it will always be to him a heavy burden, of which he will gladly free himself, that he may never resume it, if misery does not compel him.

All the reformatory power of the new Russian penitentiaries consists in their discipline. This seeks to reconstruct, collectively, the habits; but it does not drive the prisoners to falsehood or individual



hypocrisy. If they persevere in the way in which they are trained, much the better for them; if they do not persevere, the administration can do nothing more; it cannot do violence to the soul. It must not create in the prison an exceptional existence, outside of ordinary life; but it should organize a normal condition of life, only exemplary, and deprived of freedom.

There is a material difference between collective and individual reformation. The former is everywhere possible; the latter becomes possible only under agents endowed with zeal, experience and intelligence. The first leaves to the individual free-will and the free play of conscience; the second makes of the prisoner a scholar, who, whether he will or no, must listen to the discourses of his preceptor, must do violence to his real sentiments, and must often conceal the impatience which he feels.

Experience has shown that the captives of the cellular purgatory of Pentonville, after having been distinguished by their good conduct in the penitentiary, have shown themselves intractable the moment of their discharge. Does not that prove that they were weary of the part they had been acting, weary of the hypocrisy they had shown under the exceptional conditions of a cellular life? The very first contact with real life had awakened in them all the instincts which they had sought to conceal. Their conduct was but the joy of having done with constraint, and of being restored to the tastes which they had never laid aside.

It is impossible, certainly, not to feel the highest admiration for men who have labored to eradicate evil from vicious natures, but it would seem that too much had been expected from their efforts.

In general, if penitentiary science has fallen into errors, it is because it has wished to advance from theory to practice, and not from practice to theory. There have thence resulted many deceptions, and, above all, significant hesitation in regard to the ulterior measures to be taken.

It is much better to hesitate before commencing a work than when it is half done. Such is the conviction of the Russian government; and it is for that reason that it has first tried certain experiments, which might be easily modified, agreeably to the teachings of experience, during their execution. These experiments have not yet served as the basis of a new legislation, and it would be highly desirable that they should be still further discussed, verified and elucidated by the collective judgment of the competent specialties of all civilized countries. There might spring from this fraternal labor a definitive theory, as the consequence of which governments would



no more have to contradict themselves by establishing pris... different systems.

The experiences achieved in Russia are as yet too recent an... few to justify the publication of a large work on their absolute s... riority. The present sketch will suffice for submitting to the ge... judgment of mankind the tendencies developed in a country w... has remained hitherto, happily it may be, behind the philanth... ideas of the age. These tendencies look to the creation of a sys... which, as already stated, should take for its fundamental basis ... four following principles: Economy, humanity, nationality, re... mation.

The classification of prisons and the classification of labor wo... arise naturally from these principles, and, by the aid of discipl... would seek a reformation rather collective than individual.

It is in the line of these ideas that the Russian experiments a... advancing. These ideas may require some modification. It wo... be highly desirable that they should be subjected to a search... examination, as well as other propositions emanating from oth... localities.

Is not the auspicious initiative of the Prison Association of Ne... York the harbinger of an international congress of prison disciplin... Might not such a congress determine the immutable basis of eve... penitentiary system, giving at the same time due consideration to t... topographical and ethnographical exigencies of each country? Suc... it would seem, is the demand of the age; and this brief sketch clos... with the proposition, submitted to all who are interested in the futur... of prisons, to convoke an international re-union of specialists an... jurisconsults, who, under the patronage of their respective gover... ments, should be charged with the duty of giving to penitentiar... science its definitive principles.



XXI. PRISONS AND PRISON ASSOCIATIONS IN DENMARK.

By M. Keller, Director of the State Prison at Copenhagen.
[Translated by H. Dollner, Danish Consul at New York.]

[The following brief notice was obtained through our Minister to Denmark, Hon. J. H. Yeaman, to whom it was addressed.]

Institution for Punishment, Christianshaven (a district of Copenhagen city), Aug. 28, 1868.

I herewith return the extracts from the twenty-third report of the New York Prison Association, received in your esteemed favor of 26th inst., and beg to inform you that all the State prisons (four in number) of this country, as well as the whole business of imprisonment, are under the direction of the Bureau of Prisons, in the Department of Justice, to which all reports are made about prisoners, their arrests and discharges, health, habits, etc. The chief of this bureau, Chancellor Bruun, makes a report to the government every five years; and, as the last report is now about being made up, you will soon be able to obtain a copy of it, by applying to said bureau. As this report will contain every thing which can interest the New York Prison Association, and give an account (or description) of the different prisons, I will not say any thing about the Copenhagen prison, at present under my control, but I will refer to the Prison Association of Copenhagen, of which I am one of the directors. This association was founded at the instance of an English lady, Mrs. Fry, the 1st of December, 1843, and has thus been in active existence for nearly twenty-five years. At present it is presided over by his excellency M. Brostrup, assisted by a board of eight directors. I inclose late reports of the association; and when the report for the present year is made up I will send you a copy.

During its twenty-five years' existence this association has taken care of more than 500 persons, clothing them, getting employment, or assisting them to earn their own bread, or helping them to depart for foreign lands.

During the current year it assists about 200 persons, which is a large number, considering that the association's income last year was only 1,800 Danish rix — dollars (about $1,000 in gold).

Besides this, there are four other prison associations in the coun



try, viz., one in Viborg, one in Horsens, one in Vridloese and in Odense. While the three first named associations mostly after criminals who have served out their time of punishment in prisons at those places, the Odense association interests itself for the unfortunate criminals who belong to Fünen and the neighboring islands. By applying to this association you can easily procure the reports of its transactions.

I shall be pleased to furnish you with any other information may wish on the subject, and remain,

Respectfully,

KELLE

Mr. G. H. YEAMAN, U. S. Minister Resident at Copenhagen.



XXII. PRISONS AND PRISONERS IN FRANCE.

By M. A. Corne, Corresponding Member of the Prison Association.
[Translated by the Corresponding Secretary.]

Introductory.

I have visited many prisons in France and other countries. I have ›ad official reports and other trustworthy publications on the condi-on of penitentiary establishments, which I had not been able to see. have, as far as lay in my power, interrogated men who had lived a ›ng time among prisoners; and I have grieved to see how much ntelligence and force is every year expended in vain in conducting ›enal servitude.

I have reflected on the foundation of punishment, and could find it only in social security and utility. It has seemed to me monstrous to see human societies place a large number of their members, so to speak, beyond the pale of humanity by subjecting them too often, besides depriving them of their liberty, to a kind of life which degrades and perverts them.

I have studied the character of criminals, and am convinced that, since crime is almost solely the result of an indolent and feeble character, every penitentiary system should aim to impart to its subjects strength and energy.

I do not consider possible the absolute reformation of the majority of criminals, but I demand that they be subjected to a régime less rigorous than that which is imposed upon them; for the present system is such that it corrupts even those who, not being profoundly depraved, have yielded, in committing crime, only to a passing impulse.

Moreover, if we have to deal with people of an incurable perversity, apart from the necessity of guarding against increasing that perversity, what does it serve to use towards them an extreme severity? All thought of vengeance and hate ought to be eliminated from punishment. We should imitate the surgeon who does not torture by useless operations the patient of whose cure he despairs, but lavishes his efforts with a view to prolonging a human life.

It is the prisons of France which I have been able most fully to observe. It is, therefore, especially upon them that I shall base my reasonings. It is to them that I would bring the ameliorations which I demand in penitentiary discipline.



Our prisons offer this advantage, that no cause of trouble ca
them from without, either from political revolutions, as in the
States, where nearly all the employés change with the adminis
which appointed them, or from the inefficiency of the ma
and the lack of labor, as in certain parts of Italy, where the
and the indicted encumber the prisons for whole years, wit
work being found for them. The directors of our prisons, le
from all external difficulties, are also free to inaugurate ex
requiring time and careful observation. Those which have be
have yielded results that may be received with confidence; an
results show clearly to what objects we should henceforth dir
efforts.

I.

Present system of Repression and its Effects.

We have in France five sorts of places of detention, quite a
rily devoted to different classes of prisoners.

They are: 1. Houses or chambers of deposit or safe-ke
designed to receive malefactors for the moment, while awaiting
transfer to a house of arrest; to gather up those who in one w
another, disturb the public order in the streets. 2. Houses of
and of correction, receiving persons arrested, indicted and sente
to less than a year's imprisonment. 3. The central houses, in wh
are kept persons of both sexes sentenced to more than a ye
imprisonment; those sentenced to solitary confinement (*réclus*
and women sentenced to hard labor. 4. The bagnio, or galleys
the colonies, where men undergo the punishment of hard labor.*

* "Simple imprisonment" is a punishment which cannot be less than a da
more than five years.

"Solitary confinement" (*réclusion*) is an imprisonment which cannot be less
five years, nor exceed ten years.

The punishment of "hard labor" (*travaux forcés*) is, for women, an imprisonm
which, like reclusion, cannot be less than five years, but may be for life.

Men sentenced to hard labor undergo their punishment in the galleys at Toul
(they are there employed at rough work, and are, in general, chained two and tw
together), or in the penal colonies, Cayenne and New Caledonia. They work the
without chains, but, at the expiration of their punishment, those who were sentenced
to less than eight years must reside in the colony in a state of half freedom for a
period equal to that of their principal punishment. If they were sentenced for more
than eight years, they are held to a residence for life.

Persons sentenced to both "solitary confinement and hard labor" are, besides, after
having undergone their punishment, for the remainder of their life under the surveil-
lance of the police.

Certain of those sentenced to simple imprisonment *must*, others *may*, be placed by
the courts under police supervision during a period not exceeding two years.

Police supervision draws after it a prohibition against living in certain towns, and
the obligation not to leave, without special permission, the territory of the commune
which has been assigned them as a residence.



establishments of correctional labor, in which are trained
en of both sexes, who, having committed some offence prior to
ge of sixteen, have been adjudged to have acted without dis-
cernment, and are, in consequence, acquitted.

These last establishments are not, strictly speaking, prisons; and
to be regretted that they are officially classed under this dis-
tressing name, and that children pronounced not guilty are under
surveillance of armed guards, bearing on all the buttons of their
form the inscription, "*Direction des Prisons.*"

shall speak only incidentally of the correctional establishments,
shall I enlarge on our colonies, which I have never been able to

The aim of this paper is simply to make known what I have
self seen, or what I have learned from those who live habitually
n prisoners, and to state the reflections which have occurred to
— the inferences which I have drawn from the facts to which I
e been witness, or which have been related to me by trustworthy
sons.

Our prison statistics show that on the 31st of December, 1866,
ere were, including as well houses of arrest and correction as
ambers of deposit and safe keeping, 2,651 places of detention.*
ere were, besides, 26 central prisons, 60 correctional institutions,
e bagnio at Toulon, and two penal colonies, one at Cayenne, and
e other at New Caledonia. 230,571 individuals had been, in suc-
ssion, inmates of the depôts for safe-keeping and of the depart-
ental prisons, including that of the Seine. The population of the
ntral prisons was, on the 31st of December, 1866, 18,053 prisoners;
at of the correctional establishments, 7,734; that of the bagnio,
594. There were transported to New Caledonia, 428 convicts; to
ayenne, 4,966. We find thus an army of more than 255,000 men
nd women, ancients and children, in a single year, coming in turn
o keep garrison in our prisons, as the result of vice and crime.

In truth, our prison system is still so deplorable that, for the most
art, it does but make the criminal worse. They enter our prisons
ad, they come out worse; and if, perchance, one enters virtuous, he
s corrupted before he leaves. The evil has existed always; it still
exists; and it will continue, until radical reforms are introduced into
a system, which hastens the growth of all the germs of corruption.

I will not repeat what has been said on this subject by the
numerous authors who have treated of prisons. The question is
already decided. Thus, the director of a correctional establishment

* 2,249 chambers of deposit; 402 houses of arrest.



reports that a youth, having been sentenced to three months' imprisonment for a theft committed during an escape, was [illegible] terms of the regulation of the 5th of May, 1844, to undergo his punishment in a departmental prison, prior to his being sent to the colony. Convinced that residence in a prison would be ruinous to the youth, the director wrote to the imperial attorney to assert that "that a sojourn of three months, in the midst of a population of the less vicious, might materially modify, if not destroy, the benefits of correctional education." This statement was laid before the Imperial Court of Douai, "which declared that it was well founded."

One of the last directors of the central prison of Loos said: "There come to us, occasionally, persons of decent manners, who have received some education. After a few months, they become completely depraved and brutalized. They take on the prisoner's [illegible]."

The demoralizing influence of our prisons is admitted without question, by all who take part in their administration. This state of things does not exist in France alone. It is found in an aggravated form in many countries; but it is none the less to be deplored because it is general.

How much to be blamed are those public officers, who, by their negligence in these things, expose to certain contagion those whom they deprive of liberty! Meanwhile, public opinion is never thoroughly aroused on this subject. Detention prisons, by their very constitution, are withdrawn from general observation; the curious denied free access to them for the purpose of inspection; they are known only to a limited number of men, engaged in special studies. Many criminals, it is true, are committed to them daily; but, apart from the fact that it is not to their interest to revive the memories of a disgraceful captivity, it is certain that their word would gain but little credit.

Society has never taken account, even approximately, of the weight of responsibility imposed on it by the right of punishing. Legislators and statesmen have never considered that a pressing interest, and, at the same time, an obligation of conscience, require them to make the greatest efforts, that the thousands of citizens, dragged by force into prisons, in the name of justice and the general security, may not be corrupted by contact with all the vices accumulated in those places. "We have deprived them," observes a foreign author, eloquently, "of the right to guide their own actions, since that right has been abused; we subjugate their will; we confine them in our country; and we put them under such treatment as we consider best for them and for society. We therefore have doubly bound them to us and ourselves to them. They are *ours*, and we *cannot*, if we would, shake off the responsibility arising from this relationship, however painful

*" Consider! Is there any thing more strange and barbarous that which passes under our eyes every day? A man commits offence. Very often public opinion will not judge him with excessive harshness; and, if he continues to live among his old companions, they will scarcely show any repugnance toward him. Is this same man arrested and sent to prison? His punishment expired, his offence expiated, he is everywhere an object of scorn and defiance.

Ought not this man, on the contrary, according to the theories of penologists, to be regarded as reformed by his punishment, or at least as having paid, so far as society is concerned, the price of an infraction of its laws? But it is the punishment itself,—it is the degrading discipline to which the man has been subjected, which justly gives occasion for the presumption of a profound degradation. Against the contagion of depravity which our prisons nurse, we have devised but one remedy, police supervision, "*that punishment which the codes of other nations have repudiated*"; † the effect of which is "*to fatally exclude released prisoners from society, and which prevents them from obtaining employment.*" ‡ Indeed, against the evil of such a remedy, it has been necessary to employ transportation as an administrative § measure; that is to say, a measure the most violent and the most arbitrary that can be imagined, in which the good pleasure of the police is substituted for the judgments of the courts. The prison statistics for 1865 inform us that, since 1855, 1,941 persons had been thus, in ten years, embarked for Cayenne and for New Caledonia. ‖

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*"Our Convicts," by Miss Carpenter, page 3.

†Stat. des Prisons, 1865, p. 49.

‡Stat. des Prisons, 1863, p. 86.

§Decree of Dec. 8th, 1851. "Art. 1. Every person, placed under police supervision, who shall be known to have broken his license, may be transported, as a measure of general safety, into a penal colony, either Cayenne or Algiers. The duration of transportation shall be for five years or less, or for ten years or more. Art. 2. The same measure shall be applicable to individuals known to be guilty of belonging to a secret society."

‖The same statistics seem to indicate that there has been introduced a rather facile jurisprudence into the usages of this administrative transportation. In truth, the 46 prisoners to whom it was applied in 1865, were transferred to the bagnio at Toulon immediately after the expiration of their term of imprisonment. It is therefore highly probable that they were illegally subjected to the discipline of the bagnio, which is applicable only to persons condemned to hard labor. It is, moreover, certain from the nature of their punishments (three were released from hard labor, ten from solitary confinement), that some among them had not been sentenced for belonging to secret societies or for an infraction of their license. Now, having been transferred directly from their place of imprisonment, how could they have committed any of these offences? Yet, they are the only ones which authorize the employment of transportation in an administrative way.



The discharged prisoner is thus led from crew to crew*; he is made to pass from one hemisphere to the other, until, old age arrives and all his forces spent, the toothless old wolf can profit by the liberty which has been restored to him no further than to drag himself into a corner and die.

Here, if you please, is a system of repression, and it seems, at first blush, to have some efficiency. Official documents do not fail to vaunt it as preventing numerous criminal relapses†; but it must be affirmed that there is little more cruel, little more burdensome to society, compelled to be forever charged with those whose rehabilitation she has rendered impossible.

I do not propose here an examination of penal questions. I do not inquire whether our codes do not make a bad use of punishment, nor whether our courts, in spite of mitigations in the application of punishments which our manners make necessary, do not often use severity, which is at once uncalled for and fruitful of evil consequences. I accept the punishments just as the law decrees them, and, while demanding reforms in their mode of administration, I confine myself strictly to the programme of the constituent assembly: "The accused, whose imprisonment is required by the public weal, must suffer no other punishment than the privation of liberty."‡ Since this privation of liberty exists, I feel called upon to plead for all those ameliorations, which may impede the physical and moral degradation of the prisoner.

II.

Short Imprisonments and the Places where they are Inflicted.

The committal and discharge of prisoners are conducted, in France, with perfect regularity. In every prison, the keepers or directors must have one or more registers, signed on each page by certain magistrates or by the prefect. These registers are intended to record the act of delivery of each prisoner, and, on the margin, the date of his discharge, as also the copy of the decree, arrest, or judgment, in virtue of which it has place. It is thus easy to be sure of the legality of each imprisonment. There is no longer, as under the old régime, any risk of not knowing where to find a prisoner, forgotten in the dungeons for long years, nor, as in some other countries, of seeing a jailer or inferior agent of the police sell, for ready money and with absolute impunity, freedom to a convicted criminal.

We may also, among other things, congratulate the administration of the prisons on having, by degrees, improved the hygiene and diet-

* The reference is to crews of convicts in the galleys — galley-slaves.—Cor. Sec.

† Prison Statistics, 1865, p. 51.

‡ Order of the 12th August, 1789, addressed to the administrative assemblies.



ry of the prisoners, and on having developed industrial labor. But hese measures for promoting order, however excellent, are far from aving accomplished all. Let us examine the actual condition of the prisons, and, first, of those in which the shortest punishments are undergone, prisons which it is usual, though quite erroneously, to consider as of the least importance. There were in France, at the close of 1866, 2,249 chambers and dépots of safe keeping, where had been incarcerated during the year about 100,000 persons — drunkards, vagrants found in the streets and great highways, criminals arrested in the act, sometimes also honorable citizens, arrested in error or for the most trivial infractions.

In the largest towns, this whole crowd is commonly packed pell-mell in rooms without light and without air. At Amiens, for example, the cells are placed in the thickness of the walls of an old and gloomy tower. There are thrown—sometimes to the number of seven or eight — persons intoxicated, sick, digusting and filthy. Should one of them chance to be noisy or quarrelsome, he cannot be separated from his companions, except by confining him on the steps of a narrow, winding stairway, which descends to the level of deep cellars, at present walled up.

At Paris, the detention prisons contiguous to each police station, are transformed at times into base sinks, and more than once the journals have reëchoed with the complaints of persons arrested, who were obliged to pass the long nights of winter, in an upright posture, shivering, with their feet in the filthy mire. The prison of the prefecture of police has just been rebuilt, and, though air and light are there distributed but frugally, it has a comfortable aspect, compared with the horrible sojourn it was in other times. But if they had wished to make of it a sort of cosmopolitan exchange, in which the most dangerous criminals, drawn to Paris from all quarters, might meet and become acquainted, they would not have arranged it otherwise than it is. There are found there a hundred and more in a vast apartment. They are arriving and departing without cessation. They are the scum of all the professions, the disgrace and the terror of the city. Suspicious and indolent, loving darkness and isolation, they are little to be feared when separated from each other. Meanwhile, we bring them together by force, we keep them in complete idleness for whole days, sometimes for weeks. By this means, they understand each other; they organize; they know where to meet the moment they are restored to liberty.

At this prison of the police office, the young thieves learn from the old the traditions of the craft; they are instructed on the *good strokes* to be made; they are taught the best modes of operating; they are



made acquainted with the safest receivers and the worst haunts. The army of crime is there recruited without interruption. The children are separated from the adults, but they are confined together, without supervision, in an adjoining apartment, and it will readily be imagined that, if one of them is precociously depraved, it is he who will exercise the greatest influence over his companions. There is the same promiscuous association in the ward appropriated to the women; the same effect of mutual contamination. They aim to keep the prostitutes apart from the other prisoners; but those most affected with the spirit of lewdness are not always such as are known to the police. Of what evils may not their contact be the cause?

There are, it is true, a certain number of cells, but they are far from being sufficient for the smallest necessities of the service. Only persons considered dangerous are placed in them, and those to whom it is accorded as a favor not to remain in the common rooms. But the crowd is such that many of these cells contain two prisoners at the same time, which, according to all theories of prison discipline, is the mode of imprisonment most vicious. The crowding and confusion exist even in the walks (*promenoirs*), a sort of rectangular cages, placed, to the number of twelve, or thereabout, in a little court, surrounded with immense structures. Each of these cages, containing at most not more than eighty square feet, receives ten or fifteen prisoners.

The detention prison at Marseilles, situated in the luxurious palace of the prefecture, is in a no less sorrowful condition.

The inmates of the houses of arrest and of correction are equally promiscuous, equally composed of elements corrupting or easy to be corrupted.* There are persons who are sentenced to them for simple infractions, or for offences which are punishable by an imprisonment from a day to a year; persons imprisoned for debt; persons arrested or indicted; children confined by way of paternal correction, or subjected to correctional education, or awaiting their transfer to a colony.† Finally, there are mothers who have given birth to children in the central prisons, and who are sent, for three years, with their nursing children, to the departmental prison. ‡

Many of these prisons, where more than 131,000 prisoners were entered in 1866, and where, more perhaps than anywhere else, it is desirable to see good order reign, are in a pitiable state. In how many cities does not the traveller, who visits some ancient monu-

* The statistics of 1866 divide these prisoners into fourteen classes, p. 109.

† I have sometimes known children to await this transfer five months or more.

‡ A circular of the 10th of May, 1861, accorded this favor absolutely; at present, it is granted only in exceptional cases.



ment, some strong chateau in ruins, see with astonishment these places transformed into prisons.* As they were built solely with a view to defence, their walls are numerous and of an enormous thickness, and they have but few openings. One makes his way with difficulty in the stairways, and in the narrow and winding passages. The courts, where there are any, are darkened by the battlements. There is neither space, nor light, nor air; supervision is extremely difficult, and all classes of prisoners are of necessity mixed up in a promiscuous crowd.

At Paris, the state prison (*conciergerie*), although often repaired, stands as a specimen of this sort of prison. Inclosed within the old structures of the halls of justice, it is deep below the present level of the adjoining streets. Its interior has a sinister aspect. In certain passages, closed at almost every step by heavy gratings, lamps burning at all times give but a sombre light. Its yard is a real well, whose sides bristle with points of iron, which prevent all scaling. There, until these latter years, were seen, sitting or walking along the wall, groups of criminals, awaiting trial in the court of assizes or the chamber of appeals of correctional police. At present, a cellular ward is specially appropriated to them. In their place have been sent police prisoners, sentenced to a single day of imprisonment. Their day is passed in this yard. They spend the night on mattresses spread on the floor of a room, and the crowd is often such that, even under these circumstances, space is wanting.

Is there any occasion to demonstrate how much to be regretted such a state of things is? Is not the influence, even for a single day, of depraved men, enough to draw, for all future time, into the paths of crime, a feeble and irresolute spirit? What shall we say, then, of departmental prisons in which, too often, all classes associate together, and where children are found in the same apartments with all the other prisoners? A former minister of the interior, describing our prisons, said in 1835: "The arrested and the sentenced, mendicants, vagrants, insane, men, women, children — all are seen together, like a family associated in vice." And the author of the report on prison statistics, in 1863, after citing these words, adds: "To the frightful disorders resulting from this confusion was added the deleterious influence of the unhealthiness of the prisons, established in old dungeons or other edifices in ruins." Although more than thirty years

* It is so, to my personal knowledge, at Dinan, at Vitre, at Loches, at Moulin, at Avignon, etc. According to the prison statistics for 1865, p. 81, of 394 prisons in the departments, 186 are old edifices, civil or religious; only 208 were erected for the purpose to which they are devoted, and of that number, how many are defective.



have passed, during which great improvements have taken place, it must, unhappily, be admitted that the present state of things still too much resembles that just traced. The filth and insalubrity are far from having entirely disappeared in the prisons. More than once have I heard prisoners declare before the court, that they had appealed from a judgment on the first trial, even at the price of a prolongation of their imprisonment, simply for the purpose of being transferred to a prison less infested with vermin than that in which they had at first been confined.

Those who might be tempted to believe that there is some exaggeration in these words, would be convinced of the reality of what I state by a visit to the prison of St. Denis, in the department of the Seine. Imagine, on a space comparatively restricted, traversed by an open sewer filled with stagnant water—black, fetid, filthy—a mass of low buildings, whose walls, where the plaster is peeled off, are covered, as by a leprosy, with large spots caused by efflorescences of saltpetre. Most of the apartments are low and contracted. In some of them air and light enter with difficulty, and the level of the floor is lower than that of the court-yards. The beams and joists of the ceilings are out of place, and apparently on the point of tumbling down; it has been necessary to prop them in many places. Space is so deficient that some of the dormitories have to be transformed during the day into workshops. The beds touch each other, and cast-iron stoves diffuse, in winter, an unhealthy heat. There are no refectories, and at all seasons the meals have to be taken in the court-yards. The filth of the prisoners, most of whom are beggars or vagrants, old and sickly, is extreme; and means are wanting to remedy the evil. The director of the prison related to me, on the occasion of my visit, that having one day permitted two prisoners to put on cotton waistcoats, they wore them six months without ever taking them off. When removed, they had to be burnt. They were so full of vermin that in the strong language of the director, "they went alone."

Surely, we have here a hideous and disgusting detail. It rouses indignation, and must not be told to persons of delicate nerves. How does it happen, then, that, feeling such disgust at the bare recital, we are not moved to prevent the continuance of such facts? The report on the state of prisons for the year 1865 declares that, even prior to 1830, the vicious arrangements of the old buildings and the unhealthy condition of the prison of St. Denis had been pointed out. From that time the prefect of the Seine had decided that it should be demolished. Nearly forty years have passed since then, and the prefects of the Seine have been occupied with other



matters. Meanwhile 1,000 to 1,100 prisoners are confined there. Of these about 40 per cent died in 1863 and 1864; more than 44 per cent in 1865, and this last figure was raised in 1866 to more than 46 per cent, not including for this last year those who were transferred sick to some hospital, and died there.*

It is sought to explain this frightful mortality by saying that the population is composed, in great part, of old men; but the true cause — the cause on which the official documents openly insist — is the want of space, the wretched state of the buildings, and the location over a sewer, whose stagnant waters and fetid exhalations are fatal to health.†

All this has been known for forty years: the remedy is easy; but, for these forty years, the dying have continued to take the place of the dead; yet their plaints have failed to attract the attention of the administration, which does not hesitate to lavish millions on the most trivial objects. By what name shall we call such neglect? There is not a fire, not the falling of a house, but all the citizens, all the functionaries are instantly on their feet. The life of one or more men is menaced on such occasions; there is a universal rivalry of zeal and devotion to snatch a single victim from death. But thousands of human beings perish, for lack of a little care, behind the walls of a prison, and not one troubles himself about them; and, as the crowd would not witness the good that might be done to them, none even among those whose duty it is, feels the slightest compassion for these miserable creatures, thus concealed from the public view.

First of all, it is necessary to build healthy prisons, and then to construct them in view of the inmates to be confined in them.‡

There is no ship-owner, who does not cause his vessel to be constructed according to the special navigation in which he wishes to employ it; there is no landlord who, in building a house, does not consult the habits of life and the necessities of those whom he expects to have for tenants. We must apply to prisons these rules of common life, so simple, yet hitherto so much neglected.

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*The average of deaths in the departmental prisons in 1865, was only 2.35 per cent; in 1866, it was only 1.6 per cent, including 140 prisoners who died in hospitals. 426 prisoners died in 1865, and 429 in 1866, in the prison of St. Denis. All the other departmental prisons of France have had for these years respectively only 374 and 314 deaths.

† Statistics of prisons for 1865, p. 96.

‡ One of the reports on prisons contains this observation: "The most serious obstacles to the reform which the administration proposes to accomplish arise from the bad arrangements and insufficiency of the buildings occupied as prisons in a very large number of the departments." Statistics for 1865, p. 81



. In the departmental prisons we find a population whose elements are extremely diverse, including the most and the least depraved of the criminal class, and containing large numbers of innocent persons under arrest. The period of imprisonment is too short to permit the establishment of an energetic discipline among the prisoners, and still more, to allow of the slightest reformatory action to be exerted on them.* This is, most of all, evident in the dépôts of safe-keeping, where the prisoners sometimes remain scarcely a few hours, and in the prisons of the chief towns of arrondissement, into which the administration means to receive only those who are sentenced to an imprisonment of six months at farthest.†

One and the same system ought, it seems to me, to be applied in these places of detention, that of cellular separation. With that would disappear the scandalous spectacle of an innocent man awaiting trial, of a child forsaken by its parents, of a man who may have committed some act of violence, but is none the less an honest man, placed in a promiscuous association with thieves and sharpers. With that, we need no longer dread that mental contamination to which the public attention cannot be too earnestly directed, because sufficient importance is not attached to the manifold evils which it draws in its train. Besides, the cellular separation which we demand for criminals sentenced for less than six months would not have time to exert an injurious influence on the health or the character of those who might be subjected to it. This has been proved in many cellular prisons, particularly at Amsterdam. When the cellular system made its first appearance in Holland at the close of 1850, a law of the 28th of June, 1851, enacted that sentences to cellular imprisonment should not exceed six months. But after trial of the system, article 7 of the law of 29th June, 1854, permitted sentences of a year's duration.‡ We do not claim that separation makes prisoners better; we only say that it prevents them from becoming worse. There is the greater reason for its existence, since punishments of short duration can be considered only as a notice given to the prisoner, a means of compelling him to look in upon himself.

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* This period is about 50 days, on an average, in the departmental prisons, in which are confined all who are sentenced to an imprisonment not exceeding one year.

† Persons sentenced from six to twelve months are confined in the prison of the capital of the department. These measures have been arrested since the law of 1855 relating to the finances, which places the departmental prisons under the general administration of prisons, and since these prisons were placed, in 1856, under the authority of a director named by each department.

‡ It must, however, be added that, according to the law of Holland, any term of cellular imprisonment whatever corresponds to a double term of ordinary imprisonment.



Practised without rigor, as it is, for example, at Paris, at Mazas, and at the new prison of Santé, where the prisoners are allowed to smoke, where some are employed on labors which permit them to pass and repass in the interior, where they can engage together in vocal and instrumental music, where puerile and barbarous pains are not taken to prevent all communications between them, but where effort is directed solely to the prevention of protracted conversations and interviews; thus practised, I say, such a system offers great advantages, with less inconveniences than any other.*

The prison at Mazas, whose population is composed almost wholly of persons under arrest, contains frequently more than 1,100 individuals. Scarcely any infractions of the rules occur there (there were but 142 punishments in 1865), and the sanitary condition is satisfactory, the death-rate having been, in 1865, 1.84 per cent, instead of 2.35 per cent, as in the departmental prisons. In the Gironde, whose six prisons are on the cellular system, the average death-rate was only 1.23 per cent in 1865.†

The cellular prisons are less adapted than the others to labor, that indispensable element in preventing the demoralization of men, torn from their customary occupations, and abruptly deprived of liberty.

In 1865, sixty-four per cent of the inmates of the prisons of the Seine (the debtors' prison not included) were occupied in labor; at Mazas, seventy-seven per cent. The earnings of the prisoners at Mazas were less indeed, being only 16 centimes (three cents) for every day of imprisonment, or 25 centimes (five cents) for every day of work; the average earnings of all the inmates of the prisons of the Seine were from 25 to 47 centimes; but it must be observed that Mazas is inhabited by a population that is continually fluctuating, which it is impossible to hold to any regular and remunerative labor. In the Gironde, the earnings of the prisoners were 22 centimes a day for the whole term of imprisonment, and 47 centimes for each day of work, while in all the departments, that of the Seine excepted, the average was only 20 and 43 centimes. In like manner, only fifty-six per cent of the inmates were occupied in the departmental prisons, other than those of the Seine. In the Gironde, fifty-seven per cent were occupied.

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* At the prison of Santé certain prisoners, most acutely affected by isolation, are placed in double cells. If the physician judges it proper, they are sent to a prison where the congregate system is employed. On the other hand, some convicts, sent to congregate prisons, ask as a favor to be permitted to go to one on the separate plan.

† The statistical tables for 1866 are so wretchedly constructed that it is impossible to make exact comparisons on the sanitary condition of the different departmental prisons.



Nearly all persons who have treated of penitentiary matters agree with us in demanding that the prisoners be confined separately, when the punishments are of short duration. It is, among others, the opinion of the Prison Association of New York. "This association says the twenty-first report, p. 143, "has always held the doctrine that, for common jails, where the term of imprisonment is usually short, complete isolation of the prisoners is demanded by every consideration of justice and humanity. Only in this way can the corrupting influence of the jail be avoided."

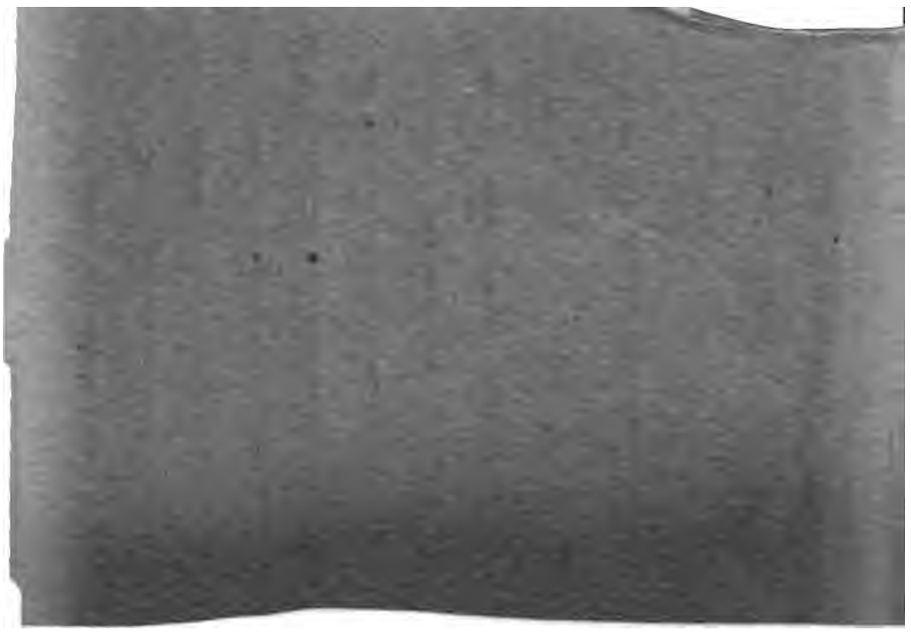
The French administration is, no doubt, in reality, of the same opinion on this subject. A circular of the minister of the interior of the 20th of August, 1849, pointed to the system of separate imprisonment as the only one suited to the houses of arrest and of justice. Unhappily, the separate system had been discredited by the extreme views of its partizans, who wished to apply it to the long imprisonments, thus converting it into an odious torture. Besides, the establishment of cellular prisons is more expensive than that of prisons on the plan of association. These, without doubt, were the reasons, especially that of economy, which led the administration to review its resolution. A second circular, of the 27th of August, 1863, recommended a mixed system of imprisonment,—that is, with apartments common or individual, according to the number and classification of the inmates and the necessities of the discipline and the judicial procedure.

What shall be said of the effort to establish this mongrel system, which would require, for each sex, a division into fourteen or fifteen classes, when more than a fourth of the departmental prisons do not contain ten prisoners each at a time, and more than half less than twenty-five.* In these circumstances, if we separate the prisoners by a strict classification, we shall arrive at isolation; or, at least (which is the worst form), every room will contain but two or three. If, to avoid this result, we neglect a strict classification, we relapse into the congregate system, pure and simple. For these reasons, this system could not be applied in practice, and the cellular régime is adopted, wherever it can be.†

The mixed system, vaunted by the circular of 1853, seems capable of application, to any advantage, only in the prisons in the chief

* The whole number of departmental prisons, on the 1st of January, 1866, was 394. Of these, 93 had a population of one to ten; 133 others, from eleven to twenty-five.

† On the 1st of January, 1866, of the 394 departmental prisons, 46 were cellular, 22 partially cellular, and 159 arranged in view of the mixed system; in 1867, the different classes of prisoners continued to be promiscuously associated together. Prison Statistics, 1865, p. 81.



ns of the departments, where the aim is to gather into one centre se sentenced from six months to a year, who are, in general, sufficiently numerous to be distributed in different series. Thus the st depraved can be separated and moral contagion arrested, simby not requiring minds, already weak and vacillating, to support crushing burden of solitude for a long period, and wrenching m them the hope that they will ever rise again.

III.

ONG IMPRISONMENTS AND THE PLACES WHERE THEY ARE UNDERGONE.

It remains to speak of the central prisons. Here alone we really pproach the prison question, because here alone we find persons etained for a sufficient time to be able to gain some influence over iem, and, in a measure, to attempt their reformation. We have ried to show, in a former essay, how discouraging is this endeavor, ince it is to be applied to men in whom, in general, criminality is leveloped from want of energy, want of a principle of activity.*

We have sought to show that the ultimate causes of crime were found in misery, in ignorance, and in the forlorn condition to which too many human beings, even in the most civilized societies, are still condemned from their birth.

Nature of Criminals. — "Criminals," we said, "ought not to be regarded as parts infected but separated and, if I may so say, as the excrements of society; but they are as intimately united to it as the plague is to the body." Hence, we have been obliged to confess that the only effectual remedy against criminality is, to amend the public morals, and that punishments of all kinds, however energetic they may be made, cannot lead back to virtue men completely depraved. As physicians cannot give blooming health to rickety constitutions, so, in those gloomy hospitals, which we call prisons, the most perfect love and devotion are unable to restore to virtue minds sunk in indolence and bereft of force. All who have lived among prisoners agree in describing the mass of them as composed of persons without tone, without vitality.

M. Lauvergne, physician-in-chief of the hospital of the bagnio at Toulon, expresses himself thus in regard to the galley-slaves confined there:† "Thieves constitute the class most widely diffused through the country. This class at the bagnio is devoid of energy, physically and morally. They often exhibit traces of rickets and scrofula.

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* Essay on Criminality, Journal of Economists, January number, 1868.

† Galley-slaves, considered under the Physiological, Moral and Intellectual Relations observed in the Bagnio of Toulon. Paris, Baillère, 1844, pp. 255 *et seq.*



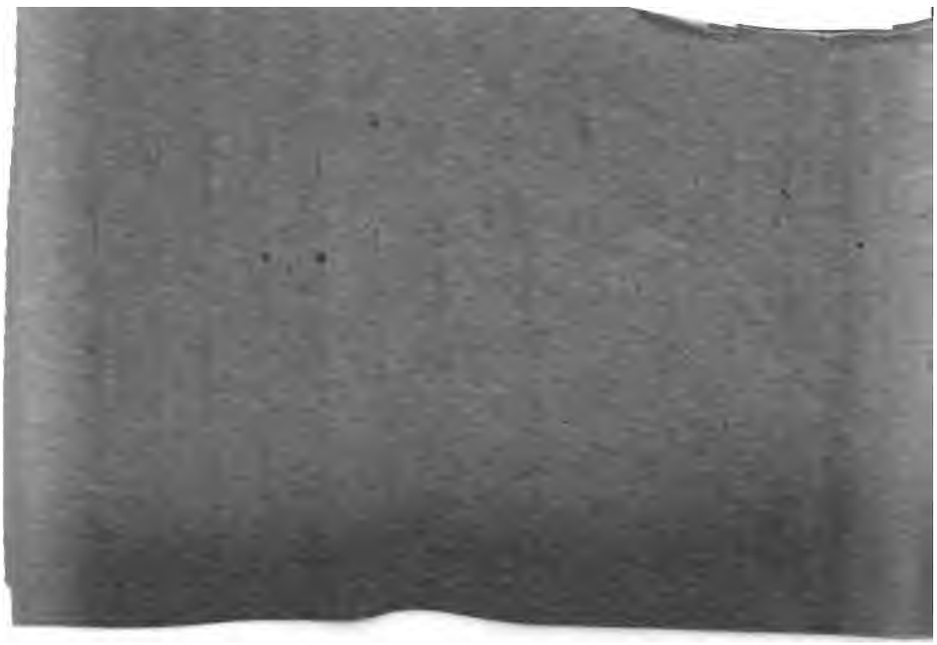
The craniological developments attest neither vivid passions nor strong propensities. A large number are remarkable for indications of cunning, of the power of imitation; but these indications are rarely discernible on a superficial observation; they become perceptible only because everywhere else there is silence and atrophy. Perhaps thieves carry with them more than the original taint of sin; they are the product of it through and through. That moral inertia which they brought with them into the world, and which the habits of an evil life have increased, compels us to assign to them a lymphatic constitution of the brain. This temperament reveals itself in the face as much by the conformation of the head, as by the sluggish, torpid material volitions of the intellect."

Here we have an exact and philosophical testimony, to which the special studies no less than the official position of the witness give the greatest weight. It is, moreover, corroborated by the testimony of an employé of English prisons, the anonymous author of a little pamphlet full of facts and valuable information.* "I think," says this writer, "that the most striking characteristic of our convicts is a sort of uniformity. None of them is distinguished by a peculiar and individual physiognomy, but they appear like a troop or gang of beings of the same species, recruited by nature for the work they have to do. I believe that I have seen as many rogues, with their character branded in the face, as any living man. Still, though I have seen so many, and though I think that I can recognize them with certainty, I can hardly frame a description, which will aid any one else to judge whether there are pickpockets in a room. Their presence betrays itself more by what they lack than by any distinctive characteristics of their own. What enables us to recognize them, is rather that which they have not of the aspect of other men than that which they have of their own. They are deficient in strength of purpose, feeling, cleverness; they are weak, irresolute, stupid to the last degree, and their hearts as hard as a mill-stone. I have occasionally seen those who were intelligent, but their number, relatively to the others, has been small."

I have interrogated on this subject persons who are employed in prisons. All have replied like the authors whom I have just cited. The opinion of prisoners is no less severe, when they are led to express a judgment of their comrades. It is wonderful to hear with what scorn they speak of "those people" (*ces gens-là*).

Having to do with such men, how shall we treat them, to the end that they may not come out worse than they went in? They have

* Convicts by a Practical Hand — Edinburgh: Edmonston and Douglass, 1866, p. 4, *et seq.*



nned through weakness; it is plainly necessary to subject them to discipline which, far from destroying what strength remains to ıem, seeks to increase it, so that, when restored to liberty, they ıay be able to struggle successfully against vice, and hold themelves from rushing down the declivity of crime. For imprisonnents of a short duration, we demanded a cellular discipline. Here, ɔn the contrary, where imprisonment is always for more than a year, we are strongly opposed to it, because no régime, when prolonged, is more injurious to the health of prisoners; and, still more, because none so enervates their moral forces. The effects are described by Dr. Coleman, physician to the cellular prison of New Jersey: "Among the convicts, there are many who came from the old (congregate) prison. While they remained there they enjoyed a robust health, and, for the first two years which they passed in the separate prison, they complained but little. Now they have become weak, sickly, and have all the symptoms of a decay of their physical forces. There are many cases of insanity. There are also prisoners who manifest an infantine simplicity, showing that their minds are less vigorous than at their entrance into the prison. These symptoms, or some of them, are observed among all who have passed more than a year in the penitentiary." And Dr. Coleman adds: "Continue separation still longer, give to the prisoners no other means of employing their mental faculties than that which is afforded by this kind of imprisonment, and the most determined burglar will soon have lost the energy and ability which rendered him formidable to society."

Hither, then, tends this treatment, so vaunted heretofore as being alone able to accomplish the regeneration of the criminal. It only makes him an irresponsible imbecile, incapable of a virtuous action, and obliged to remain till death a charge upon society.

Let it, however, be granted that the cellular system has the effects which certain of its partizans claim with so much complacency; let it be granted that, by extraordinary care, by infinite precautions, it succeeds in keeping the prisoners in perfect health, and in inculcating upon them the principles of morality. Will it have made honest people of them? No more than agility could be imparted to a man kept in a state of immobility, who should be instructed in the theory of the race. A member of the commission, charged with examining the project of law presented in 1840 on the reform of the prisons, said with reason to M. de Tocqueville that, in individual imprisonment, the prisoner could not be taught to conquer himself, since he was placed in a position where failure became impossible.

There would be many other things to say on this subject; but to what purpose insist upon them? Everywhere, except perhaps in

Belgium, the cellular system, applied to long punishments, is le
its advocates, and is gradually disappearing where it formerly p
vailed.

There remains, then, the congregate system. But what shall
in practice? What rule of treatment shall be followed wit
prisoners? Hitherto they have been treated exactly the reve
what their disease requires. As regards prisons, we still pur
system of Molière's doctor: "*First purge; then bleed.*" The pa
is weakly and scrofulous. That is in the humors; these mu
driven out; and to this end, it is necessary *first to purge; and*
bleed. The patient grows weaker all the time. An impoveri
blood with difficulty circulates in the veins; enormous abscesses
developed all over the body; the humors have not been suf
ently expelled. More than ever, he is *purged and bled.* The pa
dies. The doctors proclaim: "He should have been *purged* a
bled more. Whereas it was precisely the purgings and bleedi
which caused his death.

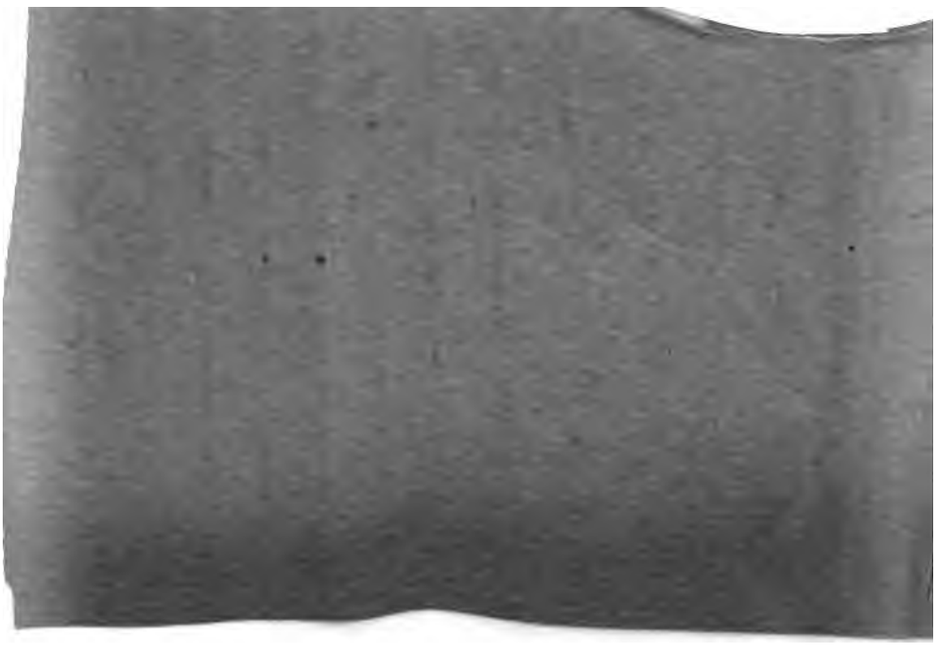
So with criminals. There are set phrases regarding them, whi
hardly any body fails to employ in speaking of them. They a
natures in conflict with laws, divine and human. They are hurri
on by uncontrollable passions; they are enemies, rebels; and
frightful array of punishments must be invented to hold them i
check. It is necessary to make use of every means to combat the
it is necessary to subdue them, to crush their will. We act in accor
ance with this view. We see the criminal propensity developed i
them more and more, as an incurable ulcer; and we persuade ou
selves that it is because we have not used sufficient rigor.

The administrators who direct the prisons certainly do not shar
these ideas; yet the popular prejudice chains them to the old usages,
and induces them to maintain, in their establishments, a discipline
opposed to all effective moral hygiene. Such, in effect, are the
central prisons.

Organization of the Central Prisons.—These receive persons
sentenced to more than a year's imprisonment; persons sentenced
to solitary confinement (*réclusion*); and, in the female prisons,
women sentenced to hard labor (*travaux forcés*). These different
classes are intermingled; all are treated in the same manner. They
are distinguished only by the percentage of earnings accorded to
them, and which varies from one-tenth to five-tenths.

On the first of January, 1867, the central prisons were 26 in
number, and contained 18,063 prisoners.* A large number of these

* Eighteen prisons for men contained 14,736; eight for women contained 3,327.
The average population for 1866 was 14,704 men, and 3,345 women.



ons are old abbeys or châteaux. Eight only have been con-
ıcted in view of their special destination. The aspect of most
these prisons is gloomy and sombre. The courts, bare and with-
. foliage, are enclosed within lofty structures. Thick walls, tra-
ʻsed by sentinels day and night, form a continuous enclosure,
ıich not only constitutes an insuperable obstacle to escapes, but
structs the view on all sides.

Each establishment contains, at least, several hundred prisoners.
ı seven or eight of the prisons, the number rises to 1,000 or 1,500.
ne would wish air and space in these doleful abodes, where so
.any human beings languish; whereas, on the contrary, cramped
ccommodations and confusion reign in many of them, among which
may cite Clermont, Melun, Gaillon, and Cadillac. The workshops
re sometimes one over the other, and unhealthy effluvia penetrate
nto all. Thus at Gaillon, in 1865, vapors of phosphorus, rising
rom a shop for the manufacture of chemical matches, caused fre-
ıuent sickness to the workmen in the upper shops. In some of the
dormitories the beds touch each other, and the means of ventilation
are not always sufficiently economized.

Cleanliness. — Cleanliness, in these prisons, is sufficient as regards the buildings and furniture, but it is to be lamented that personal cleanliness is almost entirely neglected. Every prisoner takes a bath on his entrance. He is afterwards required to plunge into the water twice a year, that is, when he changes from winter to summer clothing, and *vice versa*. This, surely, is not enough. What is most inexcusable is, the little care taken in regard to the daily ablutions of the face and hands. There is no water in the dormitories. Instantly, on rising, the prisoners repair to the shops and commence work. They can wash themselves only when they descend to the yard. But during the half hour of recreation allowed them, how could they accomplish this, as there are two or three hundred, and they have at their disposal but a single pump, and to that they cannot go without leave. Besides they have neither soap nor towel. Again, on rainy days they do not go to the yard, and when it freezes the pump does not work; then, *per force*, they do not wash.

The single toilet article allowed them is a comb; but they have no place to keep it but a little bag, into which they have also to put their spoon and bread. It is so, at least, in the prison of Loos, and I think the exceptions are rare where this is not the case. It cannot be objected, that it is impossible to do otherwise. In the female prison of Clermont, where reigns throughout an exquisite neatness, every prisoner has her wash-basin and water.

In Italy, in the prison of Alexandria, the prisoners are separ at night, and there is found in each cell a pot of water, a basin a towel. In many American prisons, the inmates are furnished w the same articles, and with soap in addition. There are even pris where they can take a bath, and where their underclothing and sh are washed every week.* At the prison of Louvain, in Belgium, h prisoner takes a full bath monthly. "These attentions," says t report on the Belgium prison statistics from 1851 to 1860, "ha contributed greatly to the preservation of health, for the bath is only the complement of the precautions which insure cleanliness it also has an effect at once quieting, refreshing and even strengt ening."

In the prison of Santé, at Paris, the prisoner can take a bath ev month. In the non-cellular ward, the prisoners, on rising, repair well regulated lavatories. Too much pains cannot be taken in th respect. Cleanliness is a virtue. It is to the body what dignity to the soul. It enables us, at any moment, to show ourselves to o peers without shocking them or having to blush for ourselves. It essential, in prisons, to neglect nothing that can preserve the ela ticity of the prisoner's physical and moral nature. We seem, eve in the present day, to despise, in some respects, personal cleanlines It would be necessary, on the contrary, that, even in the smalle station-houses, the administration should favor it with all its powe and, if necessary, make it a matter of positive requisition.

Labor. — The inmates of prisons in general, and, above all, thos of the central houses, are required to labor. It has been necessary to combat powerful prejudices, to secure the application of this means of order and reformation, which, by making the man, so to speak, the creator of his daily living, elevates him more in his own eyes than any thing else could do. Minister Chaptal, in organizing, by decree of 8 Pluviose, year IX, the first workshops, explained, in a circular, that this measure, far from having had for its only object the relief of the public treasury, had been essentially determined by philanthropic views. "The idleness," he said, "in which the prisoners stagnate, extinguishes even the germ of their moral and physical powers."

Since then, labor has not ceased to develop itself, but neither has it ceased to be assailed on all sides, even down to these latter years. A decree of the 20th of March, 1848, went so far as to abolish it, with a view to suppress the competition it might cause with free labor, as if prisoners were without rights in this regard; as if their demoralization, the spirit of indolence, and the vices and crimes re-

* Twenty-first report of the Prison Association of New York, *passim*—See especially, p. 203.



lting therefrom, spread everywhere throughout the land, were not thing to fear and to avoid; as if the value of the products of a few isons, in which are manufactured scarcely a million dollars' worth fabrics, could disturb the industries of the whole world; as if, in ort, the simplest means of effecting an equilibrium in the price of bor outside and inside of prisons did not consist in the free and ublic competition for that labor. The first purchasers or contrac- ors (*adjudicataires*) were able to negotiate on terms exceptionally avorable, but even because of the exceptional benefits realized at first, hey soon saw a large number of rivals disputing with them, under he excitement of competitive bids, the fields on which they had gathered their rich harvests.

It is due to labor that discipline has been gradually established; the prisoner when occupied being less inclined to revolt, to disorder, and to vice. It is owing to labor also that we can, without fear of weakening the effect of punishment, accord to prisoners an improved condition by allowing them to share in their own earnings.* The law of 1843 divided the product of the labor of each prisoner into tenths, five of which are accorded to him if he is undergoing correctional punishment; he receives only four, if he is sentenced to the punishment of separate imprisonment; and only three, if his sentence is to hard labor. Recidivists have one or two tenths taken off for each prior conviction down to the last tenth, which must, in all cases, be reserved to the profit of the convict. The remunerative portion belonging to the convicts, thus constituted, is divided into two moieties, one of which, under the name of *disposable peculium*, serves for the purchase of supplementary provisions and other uses authorized during imprisonment; the other, under the name of *reserved peculium*, is intended to be paid on liberation.

The decree of 1854 gave permission to increase the number of tenths accorded to prisoners, as a reward for good conduct or for diligence in work. In 1866, however, the general average of tenths belonging to prisoners was still only four for men, and a little more than three for women. The surplus of the products of labor went to the state, either directly, in the five central prisons, in which the system of managing the labor through commissioners appointed by the administration prevails (Belle-Isle, Clairvaux, Casabianda, Chiavari and Castelluccio), or indirectly in the other central prisons, where the utilization of the labor and the execution of all the economic services are confided to contractors.

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* The proportion of the products of their labor assigned in 1866 to the prisoners was, in the prisons of the Seine and the departments, 906,561 francs; in the central prisons, 1,046,784 francs.

There is but one contractor for each prison. The duration of the contract is for three, six, or nine years. The contractor has the exclusive right to the labor of the convicts, and to sell to them, at prices fixed by the administration, supplementary food, utensils, and clothing, which are authorized by the rules. The state surrenders to each contractor the portion of earnings not belonging to the prisoners of the convicts, which is, on the average, six-tenths, and he pays a fixed price for each day of imprisonment. This is fixed with the concurrence of the public administration. A large aggregate sum results from these combinations, but it is far from being sufficient. The part belonging to each prisoner amounted, in 1866, for each day of work, to only 27 centimes to the men, and only 24 centimes to the women; and the period of apprenticeship and the time lost by interruptions and sickness reduced this average, already moderate, to 15 centimes a day to the men for the entire imprisonment, and 13 centimes to the women. Meanwhile, as we have seen, only a part of this remuneration is placed immediately at the disposal of the prisoner. The rest is held in reserve; but, save in certain exceptional cases, in which he is permitted to dispose of it to ameliorate his situation, the prisoner can scarcely be considered as proprietor. In effect, this reserve so painfully earned, produces no interest so long as it remains in the hands of the state; and if the prisoner happens to die in prison, it is lost to his family.

There is surely a reform needed in this matter. The prisoner, borne down and crushed, cannot be raised up by any stimulant more powerful and more readily employed than the sentiment of property; and this sentiment cannot acquire all its force, if the prisoner does not enjoy all the advantages of property; especially if he is not permitted to dispose of what belongs to him after his demise, and if it cannot, so to speak, survive him, in an inheritance which represents the product, however small, of the labor of his life. The labor of prisoners and the fruit they derive from it are useful not only during the time of their imprisonment, but the money held in reserve for them has a strong influence in preserving them from relapses on their liberation. It gives them the means to return to their place of residence. It enables them to wait in case they do not immediately find work. In this regard, the condition of prisoners, it may readily be conceived, is improved from year to year. In 1860, of 1,000 discharged from the central prisons, 287 had, on arriving at their homes, a balance of peculium amounting in the case of 89 of them, to more than 100 francs. 644, though having no balance when they reached home, had been able to defray the expense of their journey and to provide themselves with clothing. It had been necessary to aid the



maining 72. In 1865, of 1,000 discharged prisoners, 584 had, on eir return to their residence, a balance of peculium amounting, in ıe case of 213 of them, to more than 100 francs. 392 had barely ıough to meet the expenses of journey and clothing. Aid had to e given to only 24. The aggregate of these sums, representing the ıvings made on the product of the labor of many years, is still much oo small. We shall see how important it is that it be increased.

The statistics of criminal justice show us that of 1,000 individuals eleased in 1863,* 270 had received over 100 francs at the time of heir discharge. 194 had received less than 20 francs. Meanwhile, within three years from the time of their liberation, 83 of these last had been re-arrested; the former, though much more numerous, had furnished only 69 recidivists.

If we would develop a fondness for labor, we must allow to prisoners more liberty than they now have in choosing their trade. For fear of yielding too much to their caprices, we do not sufficiently consult their aptitudes and their preferences. The apprenticeship to a new business is in itself painful enough to an adult person, suddenly torn away from his accustomed occupations. We must avoid every thing which renders this apprenticeship repulsive. A man makes a poor shoemaker or a poor basketmaker, who would make a good joiner or blacksmith. Nevertheless, if he is first entered, at the good pleasure of the director, in a shop where shoes are made, the transfer to any other is rendered almost impossible to him. It must in that case, come to pass that the time of his apprenticeship is interminable, and that he conceives a disgust for a business which he finds disagreeable, and which gives him no remuneration.†

Labor is further rendered irksome by being continued too long. Only two hours, from nine to ten in the morning and from four to five in the afternoon, are allotted to the prisoners for meals and exercise. The rest of the time, that is, during eleven or twelve hours, they are kept shut up in their workshops, where they perform mechanically the work which is imposed upon them. In the prisons appropriated to females, where only needlework is done and where the laborers must sit without motion, the health, especially of those who had been accustomed to a life in the fields, very soon becomes seriously impaired. In certain labors, such as glovemaking, the fine

* The discharged prisoners referred to here come not only from the central prisons, but also from the penal colonies and from the galleys.

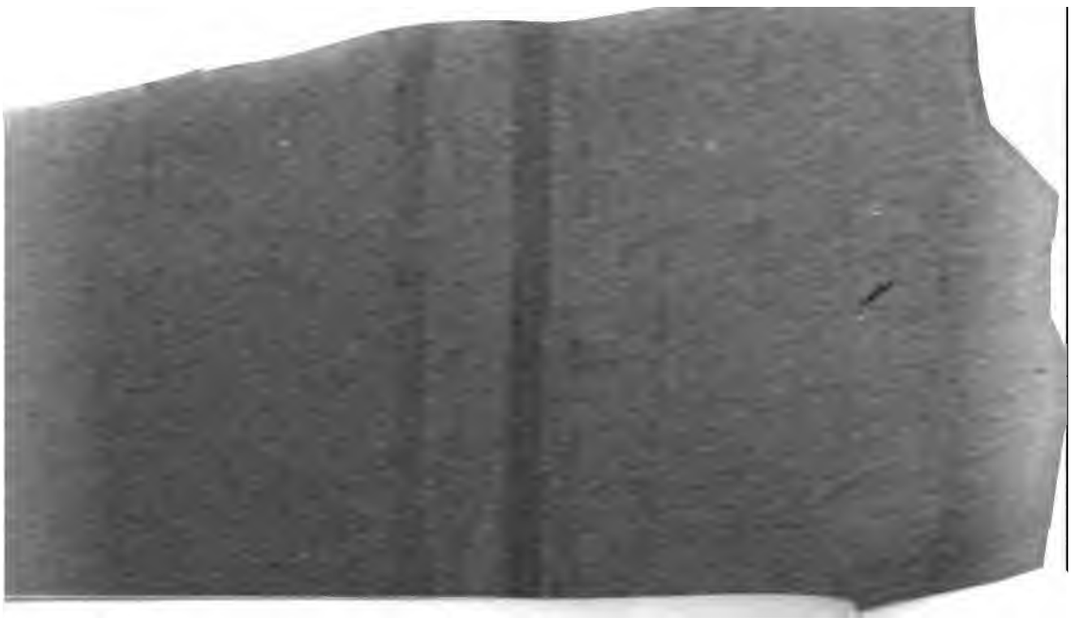
† In 1867, I saw at Loos a prisoner, whose conduct was excellent, working with diligence. This person, who entered the central prison about the middle of April and was put at shoemaking, on the 4th of August had earned only one franc and 71 centimes.

g, which requires uninterrupted attention, when
the whole day, predisposes to cerebral and
but more than all, they cause affections of the eye.
nt of 9,436 medical observations made by Dr.
an at Cadillac, there were 1,062 cases in which the
bone diseased.

eation and Sleep.—Do the prisoners unbend at least
uring the hours of recreation? The reader will judge
ng statement concerning their recreations: After
e taken into the yards, where are traced narrow paths,
of an oval form, paved with stones or bricks. Here they
k for half an hour in Indian file, that is, one behind the
loo, as in the workshops and dormitories, they have to
te silence, until the melancholy procession slowly files
ndays, this march is continued the whole day, interrupted
y meals and religious services. If it rains, the prisoners
n their workshops, with arms folded, before their
they are an occasion of embarrassment on Sundays, they
ed to go to their dormitories at six o'clock. For the
t every day, they are taken to the dormitories at seven,
n there until six o'clock in summer and seven in winter—
say, sometimes thirteen hours. Those who are ever so little
iliated with the manners that prevail in prisons will understand,
at difficulty, that such a practice is the occasion of shameful
lders.

ilipation of Silence.—Everywhere and always, during every
ent of a captivity which may have no other termination than
of their life, the obligation of silence weighs upon them.
at a régime?" exclaimed a writer, after a visit to a central
n; "Isolation in the midst of society—segregation in a
d. It is a moral cellular system. Exile does here what walls
lsewhere. Prisoners are isolated by the regulations as well as
lls. The aggravation of Tantalus is repeated. What more
l than this perpetual incitement to speech, in view of this abso-
prohibition and this forced abstinence?"

his rule of silence was proclaimed by a decree of the 10th May,
. It was sought then to establish in the central prisons a
igime which should put an end to all conversation. Have we not
ed in that end, and had recourse to useless rigors? The design
to prevent the mutual communication of the prisoners by inter-
se, but they communicate in spite of all prohibitions. They
verse in a low tone, on going to bed, by following, with side
nes, the keeper, who walks back and forth among them. The



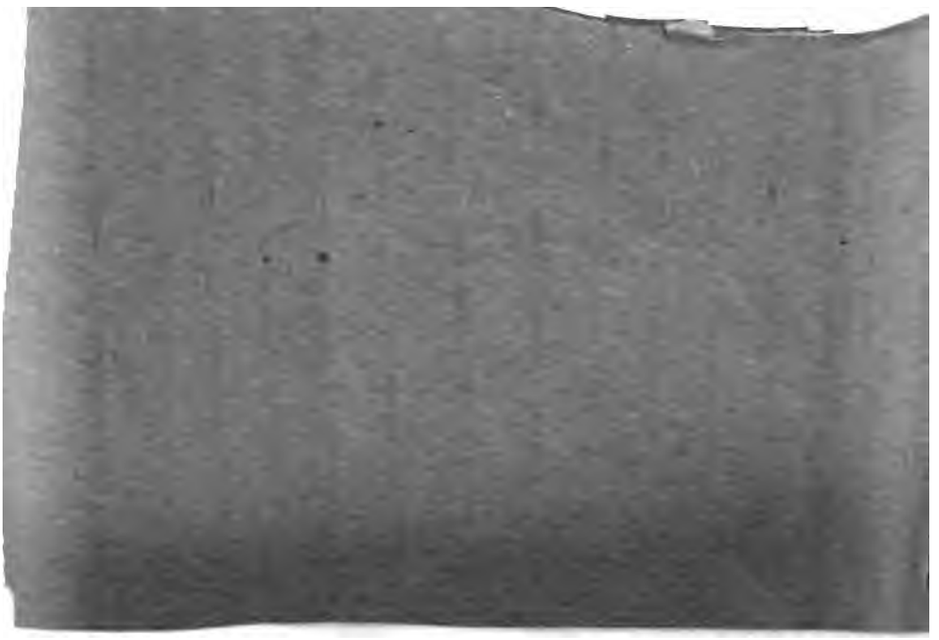
tity and kind of food which is recommended by chemists and physicians. According to M. Payen, member of the Institute, the normal daily ration of an adult man is a kilogram of bread and 256 grammes of meat. In the opinion of Dr. Beaude, member of the Council of Health of the Department of the Seine, meat, being the most nourishing of all nutritious substances, is above all indispensable where the want of a pure and invigorating air weakens the digestive functions, and deprives them of that energetic activity which is found among the inhabitants of the country."

In the Belgian prison of Louvain, the average ration of a prisoner is one kilogram and 858 grains of food. Meat is given four times a week. In the greater part of American and English prisons the dietary seems to be much more substantial than in ours. The diet of the prisons of the Seine is also greatly superior to that of the prisons of the rest of France. Is it not, then, time to recognize the necessity of improving the régime of these last?

The insufficiency of this régime is fruitful in evil effects. It destroys all bodily force and all the vigor of the mind. The prisoner, fatigued and enervated, works without spirit; or even, like an overridden horse, which suddenly stops and stubbornly resists all efforts to make him go farther, he absolutely refuses to work.

The Dungeon.—When prisoners are put into the dungeon (except twice a week, when the ordinary meagre ration is accorded them), they have for their daily nutriment only 750 grammes of bread. Most of the dungeons are badly lighted and still worse ventilated. There reigns in them a sickening odor, which aggravates the effluvia of the buckets, in which the prisoners are obliged to satisfy the necessities of nature. The only bed provided for the prisoner confined in the dungeon consists of planks and a coverlid. No exercise is ever accorded to him. This punishment can even be aggravated by placing irons on his feet and hands. He is condemned to absolute idleness. He passes his days and his nights, recumbent or sitting, in a heavy drowsiness. He is left in this state for entire months. I have seen prisoners who had been in the dungeon four months, and nothing was yet said of letting them out. At Casabianda, escaped prisoners who have been retaken are put in the dungeon for six months, with irons on; but they are furnished with the ordinary ration. Moreover, in some of the prisons the number of the dungeons is insufficient. They are obliged to put three or four prisoners in each, to the great detriment of their health and morals. This is the case, to my knowledge, at Casabianda and Gaillon. Confinement in the dungeon is a punishment all the more grave, in that it continues to weigh upon the prisoner even after he has been returned to the ordi-

I saw in 1865, at Loos, a young man of twenty-two years [illegible] going a sentence, subjecting him to ten years of hard labor, for having attempted to fire the prison. For two years he had been in an underground cell. At the distance of seven feet from the window, a [illegible] wall shut out the air and the view. There, having for companions a swallow and a turtle dove; for occupation, the making of nets; for diversion, a French dictionary, he vegetated — pale, languid, [illegible] visits only from his keeper, and, about once a fortnight, from the chaplain. From this cell, situated in a corner of the court, he [illegible] not even the comfort of seeing a man pass in the distance, or of hearing the least noise. In comparison with the tomb into which he was plunged, the cells of Mazas are cheerful and lively. For his daily exercise he had but the space left open between his cell and the wall which separated it from the rest of the prison. This space was only seven feet in breadth, and twenty-three in length. When I saw him, I observed three loaves lying in the corner of his cell, which had scarcely been touched. It seemed that for three days, himself, his swallow and his turtle dove had not eaten more than 750 grammes. The soup, given out some hours previously, was still untasted in the porringer. On my entrance, he rose up and stood leaning against the wall, in the attitude of a child timorous and fearful. I spoke to him, he replied only in monosyllables; he uttered no complaint; he felicitated himself, on the contrary, on finding every body kind to him. I was profoundly struck by the long time he required to comprehend the simplest phrases, and then to conceive and express the most trivial thoughts. When part of a mine has caved in, if some man remains alive in a subterranean gallery, his muffled voice comes only with slow undulations to the ears of those who, from without, interrogate him in tones of anguish. Thus, speaking to this man whom I saw at my side, whom I could touch with my hands, it seemed nevertheless, from the long intervals that separated his answers from my questions, that his voice came from a profound depth, as of some one buried alive beneath enormous masses. And truly, the silence and immobility which weighed upon him separated him more from other men, than could have done the thickest strata of earth or stone. If this wretched man ever re-enters into society, what will he be able to do? What will society have a right to exact from him? All will, all foresight has been crushed and obliterated in him. He is a mutilated being, whom the world will cast out, and on whom it will impose the heavy task of procuring a living, after having robbed him of all that might aid him in accomplishing it — physical and moral force, the manly sentiment of responsibility.



How sparingly ought we not to employ a punishment which produces such results! But the ordinary discipline is so administered that, to add to the punishment of those who are subjected to it, we are obliged to proceed to extremes. I have not yet, however, fully set forth that discipline. It does not limit itself to depriving the man of his liberty, to separating him from all the objects of his affection, to repressing in him all the sentiments of nature, and to refusing him all innocent recreations. Its very aim would seem to be to increase in him that spirit of indolence and languor, which made him a criminal.

The Mutual Hostility of Prisoners. — When we enter an insane asylum, we observe that the patients do not form themselves into large groups. The worst always go by themselves, and cannot bear the least society. The same absence of sociability is found, to a certain degree, among prisoners. If those who have passed long years in the midst of them and observed them closely are to be believed, they have towards each other, in general, only repulsion and defiance. It sometimes happens that a degree of authority is given to a prisoner over his comrades. At once, he exercises towards them an extreme severity. If he is charged with the execution of some measure of rigor, there is always fear that he will exceed the orders given him. On the other hand, the mass of prisoners are without pity for one of their number, to whom some misfortune has happened. When a galley-slave is brought back after an attempt to escape, he is received with insult and derision by the whole bagnio. I have often heard directors, in seeking to justify the rule of silence, appeal not to the fear of a common understanding among the prisoners; but on the contrary, to that of the quarrels and contentions which would not fail to ensue among them, if they were allowed the privilege of conversation. Prisoners sometimes hate each other to the point even of assassination, and their keepers have, far less than their companions, to feel the effect of their vengeance. The English author of a pamphlet which I have already cited, declares to the same effect: "When a criminal has attempted to attack an officer, the latter has been, generally, defended by other prisoners. Criminals have the least possible aptitude for joining together in a common action."

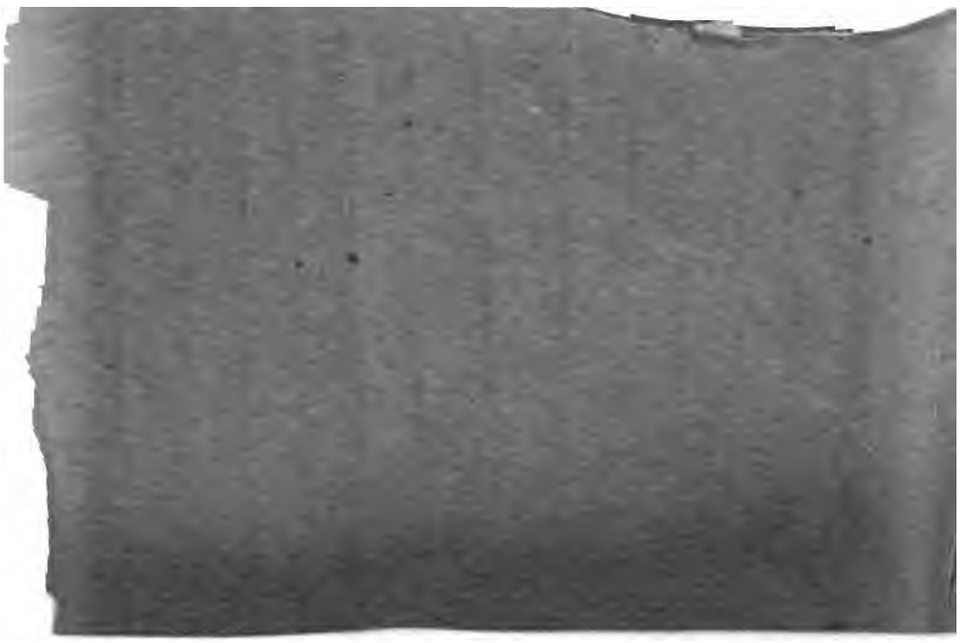
Espionage. — This unsocial disposition must be carefully combatted, because it is not only an indication but a cause of immorality. It is, however, voluntarily aggravated, since it is sought to profit by it in organizing a system of *espionage*. Every prisoner may fear that he has unceasingly at his side a treacherous enemy, who, to gain the favor of some subordinate agent, will report against him

the slightest infractions of the discipline, and who, to magnify his own merit, will not fail to represent to him, in exaggerated colors, such a word or such an act, spoken or done in a moment of anger or discouragement. In one of the circles of Dante's *Inferno*, there are damned souls who are scourged by demons without cessation. The central prisons offer the spectacle of a more frightful torture. It is the victims themselves who, without intermission and without pity, scourge one another, their very sufferings affording, in their stupid rage, an occasion of mutual exasperation.

Immorality. — Prisoners having thus lost their humanity, how can we wonder that they come at length to lose their natural sensibilities? All pleasure, all joy of a virtuous character are forbidden them; and, and on the other hand, we have just seen what heartless and degrading acts they are incited to practise towards each other. Henceforward, placing no value on the opinions of those by whom they are surrounded and vile in their own esteem, they abandon themselves, without restraint, to acts of shameful bestiality. They seek, even in the gratification of the most ignoble passions, some oblivion of their miserable life. Such servitude and such infamy, by whomsoever suffered, put an ineffaceable brand upon them. A prison employé will recognize, almost invariably, even after a long period of liberty, the man who has formed part of a gang in a central prison. The lack of fresh air during the time of imprisonment gives to the countenance a sickly hue; the flesh is flabby, though distended with an unhealthy fat; the body is bent, the gait slow, or, if rapid, the steps are short, as of persons who, having been accustomed to a narrow space, are afraid of encountering some obstacle. The elbows are held close to the body; the eyes are commonly downcast, and even in conversation the prisoner looks at his interlocutor only with furtive glances; his phrases are drawn out and threadlike; his expressions high-flown.

"The causes of moral feebleness and physical derangement in prisoners," says Dr. Faucher, in his book before cited, "are their vexations, their debauchery, their vicious habits, the emotions awakened on their trials, their criminal schemes to produce abortions, their change of habit and food, the privation of the pleasures of liberty and of home joys, the tedium of their captivity, and the uniformity of the discipline. * * In the prisons, the physical changes are so spontaneous that one is often painfully surprised at the rapidity with which a residence there impresses a character altogether unique upon their inmates." *

* Questions d' Hygiène et de Salubrité des Prisons, p. 51.



Dr. Ferrus, inspector-general of the health department, to the same effect says: "In passing through our prisons and central houses, one is struck with the tokens of suffering and despondency impressed upon the countenances of nearly all the inmates;" and he mentions particularly the pallid hue of the prisoners, their excessive leanness, or the bloated appearance by which they are characterized.

Mortality. — Such symptoms are the too visible index of a profound alteration of body and mind. The average mortality of the free population (including children and old men, among whom the largest number of deaths takes place) is estimated at 2.29 per cent. In the central prisons, where there are no children and the old are in very small number (two-thirds of the population not exceeding forty years, and only 12 to 13 per cent being over fifty years), the average mortality reported was 4.22 per cent in 1866; it had been 5.10 per cent in 1865, and 5.30 per cent in 1864. This mortality is most in excess in some particular prisons, almost always the same, among which may be named (and I do not here speak of those which, like the penitentiaries of Corsica, are placed in exceptional situations) Beaulieu and Eysses, among male prisons; and Cadillac, among those for women.

It is, furthermore, necessary to observe, to the great discredit of France, that the mortality is much less in the central prisons of Belgium. From 1851 to 1860, the prisons of Gand, of Vilvorde, of Saint Bernard, of Alost, and of Namur lost annually only 2.58 per cent of their population. In England, the mortality in the convict prisons was, for the year ending March 31, 1866, only 1.21 per cent; for the previous year it had been 1.19 per cent.

It will be seen from this how much progress our central prisons, in a sanitary point of view, have to make, that they may reach a position, where a deep wrong will not be done to humanity. There die in them, perhaps, three times as large a proportion as in free society. The reverse of this should take place, as is the case in England. Prisoners, in truth, are much less exposed than the population outside, to a thousand occasions of accident and disease. Moreover, two-thirds of them are between sixteen and forty years of age, the period of the full vigor of human life, when, in the general population, the death-rate is only 39 hundredths of one per cent. No care is wanting to those who are attacked by disease. The infirmaries are, in general, exquisitely clean, well lighted, and well aired; they will bear comparison with our best hospitals. Yet who can enter there without feeling his heart seized with a profound sadness? To the physical suffering of the poor wretches who lie in these places, there is added a heavy burden of ignominy and popular odium. They see

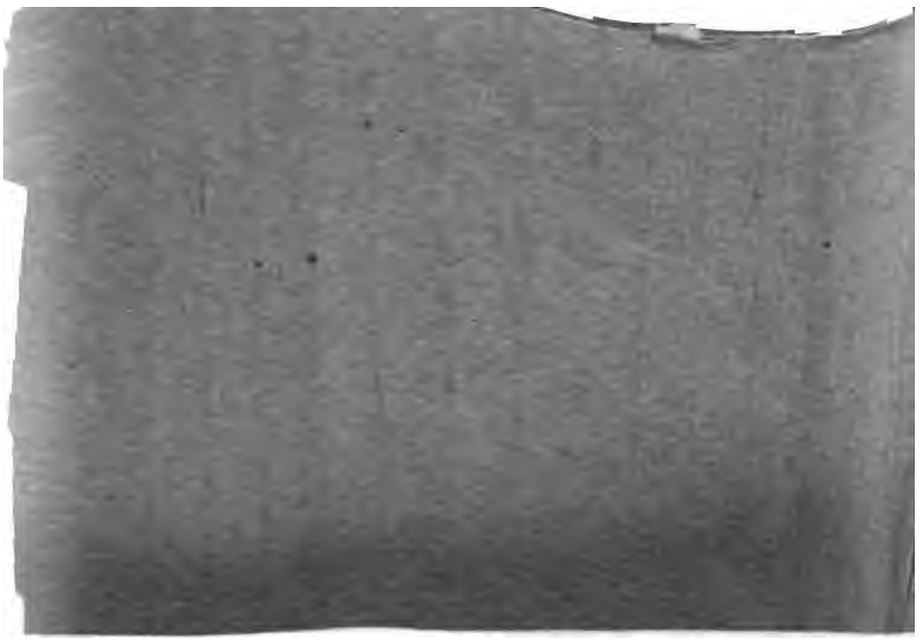
their strength and their life wasting away; nothing reacts upon [illegible] mortal lethargy which has seized upon them. Without [illegible] without relatives who come to console and reanimate the [illegible] words of affection, isolated in the midst of their sufferings, lost [illegible] all hope, they die because they have no reason to live. It [illegible] motive to live, which it is necessary to give them.

The Moral Weakness of Prisoners.—Those who have long been charged with the administration of our prisons know, instinctively, that they lack sufficient energy to reënter into society, and to lead an existence free and responsible.* This feeling is general among prisoners. It mingles with their desire of liberty and, strange to say, sometimes stifles it. M. Lauvergne establishes this fact in his work on the galley-slaves: "I have seen prisoners," he says, "who, approaching the hour of their liberation, have been seized with a bitter and mortal regret; the idea of being free, without friends, without relatives, without resources, and repelled by the whole world, has struck them to the heart, and put an end to their existence. I have seen some die of a sort of home-sickness, because they had to leave the galleys."

There is no exaggeration in these words. A convict, after seven years of cellular confinement, I have been assured, was unable to bear imprisonment in association in a central prison. He found the part assigned him at first (we have seen what that may be) too heavy, and he succumbed under it. I have received the following history from one of the directors of the magnificent lunatic asylum of Clermont (Oise): He had the care of a woman, incarcerated for nearly twenty years in the central prison of that city, who had become insane. The patient was cured, but as the moment when her punishment would come to an end drew nigh, by an act of grace she was not returned to the prison. This woman was wholly engrossed with the idea that she was about to be restored to liberty; she could not imagine how she could provide for the commonest wants of her existence. The thought that she would have to purchase clothes and food for herself filled her with dread. She was, nevertheless, an excellent worker. She was assured that she would earn enough for a livelihood, and her peculium was considerable. On the eve of the day of her liberation, she hung herself.

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* "Take a man whom you have known as a sort of pasha, holding his head high above other men. Look at him after four or five years of penal servitude, and you will no longer recognize him. We all know the terrible amount of suffering and inward anguish, which have been necessary to change this man into this thing." Quoted by a Practical Hand, p. 37.



These, no doubt, are exceptional cases; but persons in the central sons have assured me that the most painful moments for almost all soners were the first and the last months of their captivity. Out- ıe of the prison they will be obliged to take care of themselves, and ey no longer know how to do it. They suffered before committal ɔm want of energy; and we have aggravated their disease.

If this is so, must we not acknowledge that we have committed a ıpital mistake in the discipline of our central prisons, and that it necessary to modify that discipline at the earliest possible moment. Ve begin to perceive our mistake, but with regret. It is hard to dmit that we have been so long deceived. The light begins to hine; but we voluntarily close our eyes to it.

Meanwhile, the experiment is complete. We have established a liscipline which is suited only to natures wasted, sluggish, and ɔoid of all energy; a discipline, moreover, which, at the end of ı certain time, robs of their vitality and force those in whom there ɜtill remain some generosity and some dignity of sentiments.

It is the constant complaint of all prison officers, that persons sentenced to a short correctional imprisonment for trivial offences manifest less docility than those who have been sentenced for felonies to the longest punishments. The report of 1866 on prisons shows that, as a general rule, the prisoners from sixteen to twenty years are much less depraved than the older prisoners; it adds that they are, for the most part, less easily governed. On the contrary, an old galley-slave, or an old criminal sentenced to solitary confinement, may be a model of good conduct. They accommodate themselves to every rule, as water conforms itself to the contour of the vessel into which it is poured. They are no longer capable of acting by themselves. The will is dead in them. In the energetic language of a physician of the bagnio at Toulon: "They are men demolished." Reduced to this state, they are no longer to be feared.

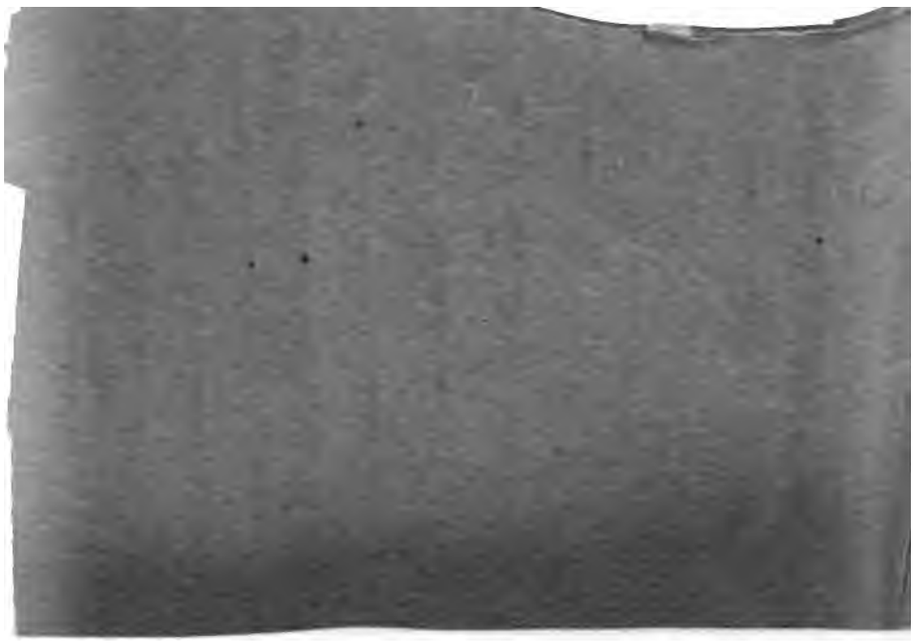
Relapses.—The statistics show that criminals sentenced to reclusion furnish a much smaller proportion of recidivists than those condemned to correctional punishment. Thus the former constituted about fifteen per cent of the prisoners released in 1863, 1864 and 1865; but they furnished five per cent of the relapses. Is that a result due to the happy influence of a prolonged sojourn in the central prisons? No. But the prisoners leave the central houses older and more broken than do the inmates of the correctional prisons. Numbers of the former are ripe for the almshouse and the hospital. They no longer commit either crimes or misdemeanors, simply because physical force fails them. That this explanation is the true one is clear from the fact that the

galleys, from which are discharged only men completely [illegible] have always furnished fewer recidivists than the central p[risons]. From 1830 to 1846, of one hundred released from the [illegible] prisons, thirty-four were re-arrested within the five years [illegible] liberation. Of one hundred discharged from the galleys, [illegible] thirty were re-arrested within the same lapse of time. A law [illegible] permitted to send the galley-slaves to a deadly climate, to [illegible] petual the greater part of the punishments pronounced against [illegible] and to double the duration of the shorter ones. Since then, [illegible] in 1866 the central prisons furnishing thirty-eight recidivists to [illegible] hundred discharged within three years; and we find, to every [illegible] dred released from the galleys, only seventeen who have relap[sed]. But, in order to give an exact account of the situation, it would [be] necessary to enumerate those of the aged galley-slaves who are [illegible] or at the point of death in the hospitals.

This, in brief, is the point at which we have arrived in peni[tentiary] matters. Our prisons receive men degraded, but leaving still [a] spark of vital force. Those prisons which do not kill them physi[cally] and morally, "restore to society the persons whom they should [have] reformed, only to seize them again in a little while, charged with [new] crimes or misdemeanors."* On the 31st December 1856, more [than] forty-six per cent of the prisoners in the establishments devoted [to] males, and more than twenty-seven per cent in those devoted [to] females were recommittals of persons who had previously been [in] the galleys, in the central prisons, or in the houses of correction [for] duration.†

I regard as true, to a certain extent, this observation in a Belgi[an] report,‡ that the large number of recommittals "proves incontestibly that it is the same individuals who constantly abandon themselves to the same offences, and that criminality tends more and more to concentrate and confine itself within a definite circle." But I am struck with the fact that we are obliged to admit, on the one hand, that among the prisoners whose judicial antecedents do not appear, there is a large number who are accustomed to prison life by residence more or less prolonged in the departmental establishments; and, on the other hand, that the immense majority of persons in the central prisons being mentally depraved, there is a necessity to prevent from contagion the small number of convicts who are not yet wholly perverted.§ We do, indeed, aim to place by themselves in each

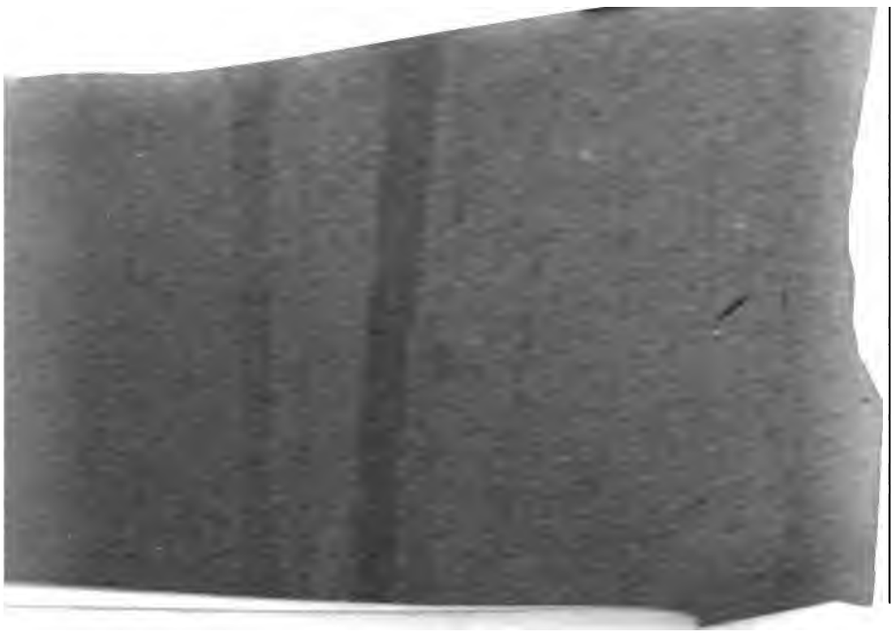
* Report on Criminal Justice in 1856.
† Statistics of 1856, p. 96.
‡ Prison Statistics of Belgium, from 1851 to 1860, p. 31.
§ Statistics of 1856, p. 96.



·ison those who are under twenty-one years (a special establishment even devoted to them at Castelluccio, in Corsica), and thus to create ·r those who are believed to have yielded only to a passing temptaon what are called wards of conservation and reformation.

I set down the first acknowledgment as an overwhelming accusaon against the departmental prisons. I have said this before. The nambers and deposits for safe keeping are the hot-houses of crime. t is to the condition of the prisoners in them that the attention of hose interested in the prison question ought, above all, to be drawn. t is there, more than anywhere else, that the contagion exists; it is here that it might most easily be avoided. I consider the second .cknowledgment valuable, because it reveals the discouragement of he administration, and enables me to point out the error into which t has plunged more and more. It is not in the central prisons that .he contagion of crime is to be dreaded. It is idle to charge upon :hem the mutual contamination of the prisoners. Here, it is the *system itself* which is the great corrupter. In vain shall we separate one from the other. As long as we impose on men an existence such as that we have described, we shall see produced among them, whoever they may be, a waste and consumption of character; all spirit of enterprise, every sentiment of dignity will be extinguished in them; and when we attempt to replace them in society, they will seek in vain restoration to free life, with its labors and its cares. They will return to the prison, as an ox accustomed to the yoke returns to its stall.

Rewards.—The penitentiary system, such as we have described it, is solely a repressive system. We seek to prevent criminals from doing wrong either by placing them where they cannot act, or by the terror of punishment. For some years, however, we have also sought to excite them to good conduct by the allurement of rewards. The initiation of this measure is due to different contractors, who employ the labor of the prisoners. Having observed that forced and ill-paid labor was little productive and badly performed, it occurred to them that they might, to a greater degree, interest the convict in his task by giving him, directly, some gratification. These gratifications add very little to the peculium, especially in the female prisons. There were distributed in 1866 to an average population of 14,794 men only 209,990 francs, and to an average population of 3,345 women only 15,195 francs. It is an increase of wages amounting to three centimes a day to the men, and one centime a day to the women. Reduced to these scanty proportions, this measure was, nevertheless, a success from its first application. The administration, on its part, wished to interest the prisoners in work by allowing them.

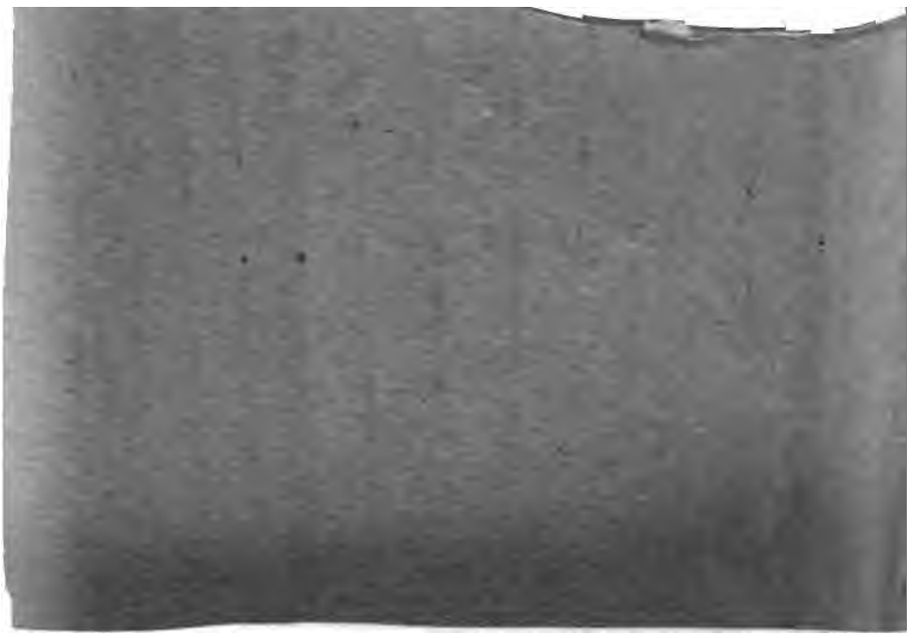


increase the proportion accorded to them of the produ
eir labor. Unhappily, this favor is granted only to a pr
v; 642 men and 27 women alone profited by it in 1866. Co
ore largely, it would have, I think, an effect singularly sa
ere are other rewards, on the contrary, which I would not be
to see used, except with extreme moderation; but they a
more readily employed, as they seem more economical. I
hose which consist in giving employments in the establish
ere the imprisonment is undergone. In 1866, there were 1
ards of this kind in the central prisons designed for men, a
he prisons designed for women. As long as this is confi
execution by the prisoners of certain services, such as those
ng to keeping the records or the like, we can but approve;
otherwise when they are clothed with any authority. Th
times done from a feeling of humanity. It is believed that
cts will be incited to do well by showing one among them
re, rehabilitated by the confidence thus shown in him. I
igent officers, after reasoning in this way, have been oblig
periment, to give up their first thoughts. It is because, a
said, there is among prisoners really no sentiment of u
vrité). They have a profound distrust of each other; and,
if any power is committed to one of them, it may be affirm
certainly that he will abuse it.

Naples, before the revolution of 1860, the convicts when o
d in the prisons were left wholly to themselves, and govern
ves according to their own pleasure. Certain of them ma
over the mass a frightful tyranny, assuring their power b
iolence and assassination. In our French prisons, those wh
some functions of government can only inflict a few pet
s. But as these are perpetually renewed, they exasperat
ners who are compelled to endure them. Thence arise h
ich, to say the least, are prejudicial to good order, and fu
avest perils to the discipline.

esides, exceedingly difficult for the directors of our penite
olishments to choose wisely those prisoners whom they would
h some authority. We have shown that, as a general rule, it
t depraved who best conform to the discipline as it exists a
t time; it is these who incur the fewest punishments; it
ong them, therefore, that we find ourselves necessitated to
persons to be intrusted with certain functions of power.

wards, a complete or partial pardon is, without question,
has the happiest influence, and that from the very begin-
imprisonment. At that moment, the hope of pardon allays



ıe irritation or the despair, to which the majority of convicts are a ·ey. Those on whom has been inflicted a punishment for life or ·en for a long period — how would they abandon themselves to an verwhelming grief or be capable of any violence, if they did not ıink that it might be in their power to deserve a pardon? It is this ame hope which enables them afterward to endure patiently the disipline during their detention.

The principle of this method of reward we may, then, commend vithout reserve. In the United States, where it appears not always to be applied with sufficient discrimination, no authoritative voice is raised against it.* The Irish prison system, which is at present most in view, not to say most in fashion, rests wholly on a well-devised gradation of rewards.

Large use is made of pardons in our central prisons. In 1866 there were granted 545 abbreviations of punishment, 31 commutations and 442 absolute pardons. Here, too, it often happens, for the reasons stated above, that the persons pardoned are not those who best deserve such a favor. Many of the directors complain, in this regard, of the mistakes to which they are liable. They select with much care the prisoners whose pardon they yearly propose to the Minister of Justice. Nevertheless, if the statistics should be given, I am sure there would be found among the recidivists a large number who had been pardoned. Their incurable depravity, their hypocrisy would then be arraigned; whereas, it would be more just to arraign our penitentiary system, which does not permit men the most debased, at least the most devoid of energy and strength of will, to become perfect prisoners.

We will say a word on the bagnio at Toulon. It is a barbarian world and belongs to another age, which is suffered to exist only as the result of an incredible spirit of routine. There, are found those who have been sentenced to hard labor (*travaux forcés*) — a punishment awarded only to the gravest crimes, which is for five years at the least, and may be for life. The galley-slaves, formerly employed in rowing on the galleys, were assigned to the roughest labors of the port by an order of the 27th September, 1848. Since then, with the exception of some mitigations of detail and the application of a more exact discipline, this bagnio remains what it was at its origin. It preserves its speckled uniform of bright colors, its melodramatic apparatus of chains fastened to the foot of the convict, which every night attach him, like a ferocious beast, to a bar of iron, and which,

* Report on the Prisons of the United States and Canada, pp. 377 et seq. Ibid., p. 152.

even in the hospital, are fixed to his bed of pain.* It preserves the shameful promiscuous night association of the great *rumus*,† the horrible and senseless practice of coupling,‡ and corporal punishment for the most trivial offences. §

The name of crew (*chiourme*), which has for more than two centuries served to designate the whole collection of rowers on the galleys, still denotes officially the entire body of convicts in the bagnio. The galley-slave works in the open air; he has the sun over his head and ample space around him; he can converse with his comrades. In this respect, he is less to be pitied than the inmate of the central prison; but it is impossible to cause a more crushing scorn to weigh upon a man than that which rests upon him. He inspires still something of the sentiment which, in other times, caused to be denied to the galley-slaves even the human voice; so that a traveler at the close of the 17th century declared that it seemed as if they were bears and not men. ‖

In the treatment of the galley-slave, the whole reliance is on brute force; one sentiment alone it is sought to awaken in him—*fear*.

The dietary at the bagnio is altogether insufficient; it has not changed since the 17th century. It consisted at that time of beans with oil, of a little lard, and of black bread. At present, the bread has a mixture of wheat, but the lard has disappeared. The galley-slaves never have meat, except when the navy has occasion to get rid

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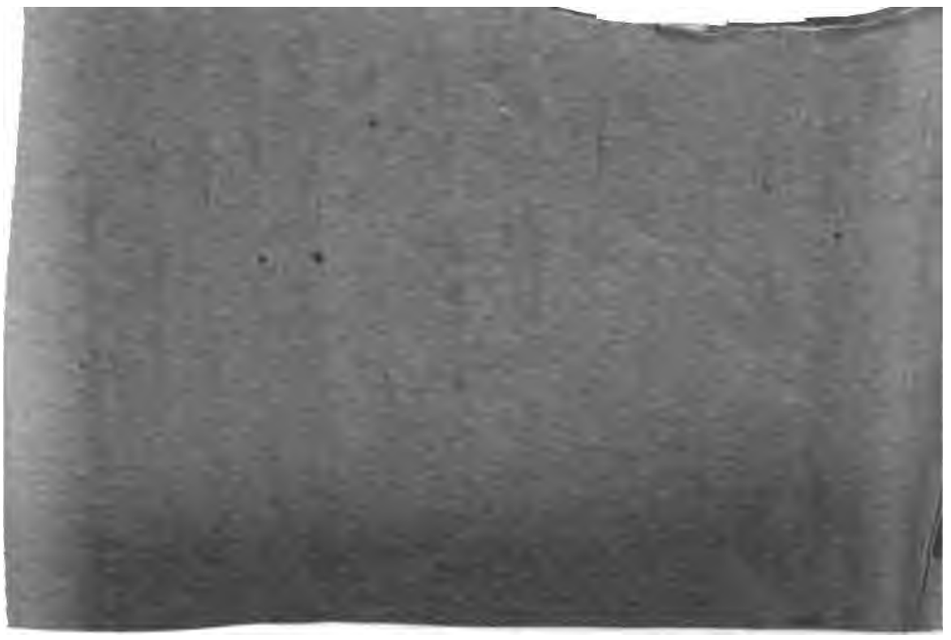
* The chain weighs about six kilograms; the weight of the bracelet may be two kilograms.

† This is the name of the immense camp bed, on which the galley-slaves sleep, with only a woolen blanket for a covering. Along the lower side of this bed extend long iron bars, which are every night passed through the rings of the chains. The convicts sleep on pontoon bridges on the platform of the vessel, in two rows, with their feet turned towards the middle of the bridge. This bridge being somewhat convex, the head inclines downwards. This position is intolerable to most men, although a remedy has been attempted by the help of a sort of board pillow; but they have not thought of the simplest means, which would be to make the convicts lie in an inverted direction. Tradition opposes the change.

‡ Two convicts are always (except after an imprisonment more or less prolonged) united by their two chains, the middle portion of which drags along the ground. Every motion of the one must be followed by the other under penalty of the most painful jerks and jars. In this state I have seen them engaged in pushing a wheel barrow, which could be done by one only, who was followed, step by step, by his inactive companion.

§ I do not think that these punishments are authorized by the regulations; yet they are used every day. The slightest infractions are punished by six or eight blows with a stick.

‖ It is a sort of howling—the cry of "oo! oo! oo!" with which they were required to salute persons of mark coming on board the galleys.—*Pierre Clement. La Police sous Louis XIV*, p. 245.



of damaged salt provisions.* Those who do the roughest work, who, according to the established phraseology, "*vont à la fatigue*," receive, it is true, each day, 48 centiliters of wine (nearly a pint). Nevertheless, if they cannot purchase food (and nearly all new comers are in this case since, during the first six months, nothing is remitted to them of the earnings of their labor) they must certainly suffer from hunger.

Besides the bastinado, the punishments consist in wearing the double chain, in the prolongation of the time of coupling, and confinement in the casemate. The casemate is a room in the bagnio, similar in all respects to the others; but the convicts who are confined therein, and who are designated *unsubdued*, remain constantly chained to their camp bed, and are doomed to absolute idleness. There is, finally, confinement in a cell. The cells have little air, little light. The man remains there on bread and water; he is fastened with a very short chain. He never takes the air during the time of this detention, which may be for two months. Some of the cells are entirely dark, and the convict cannot live there more than fifteen days without serious danger to his health.

The solitary vice rages furiously among these men, in whom it is difficult to recognize any remnant of humanity. "It undermines their constitution, which their heavy and gross food tends to impair. They are flabby, pale, bleached. One should see them coming out of the bagnio at break of day, of a yellow hue, like prisoners who have breathed in a deep and humid jail. After they have traversed the road from the bagnio to their work and have disappeared, the nauseous animal emanations which they left in passing are distinctly perceptible." †

IV.

Ameliorations Needed in Prison Discipline.

We have shown the evils of the present state of things. It would, however, be unjust not to recognize the good that has been done by the several administrations which preside over our prisons. The hygiène and dietary of the prisoners, although they leave much to be desired still, have received the most important ameliorations. The beds, less than forty years ago, were double and triple, even for the

*The dietary is composed of 900 grammes of bread, and sometimes cheese, and sometimes vegetable soup, to which there is added a little oil. The "trusties" (*éprouvés*) alone, that is, the convicts who, during a long period passed at the bagnio, have always conducted themselves well, receive fresh meat twice a week. They are also allowed to sleep on a little mattress two or three fingers thick, called *staponting* (a kind of hammock). It is an immense favor.

†M. Lauvergne. *Les Bagnes*, p. 286.

sick; the greater part of the prisons had no refectories. There was a time when prisoners were clothed only by public charity, and their only food was bread and water.

It is certain that the higher administration, although with too little resolution, is seeking, by slow degrees, to enter upon new methods to render criminals less formidable to society — not by reducing them to an almost absolute imbecility of mind and body, but, on the contrary, by favoring their return to a normal state of physical and moral energy, which will enable them to renew the battle of free and responsible life. The most remarkable measures taken to this end have been those which, breaking away from ancient traditions, have freed certain classes of prisoners from the stifling inclosure of walls or the crushing weight of the chains under which it had been thought essential to keep them, even down to these later years.

Our central prisons had for a long time exhibited a grievous scandal in the promiscuous association of adult convicts and youthful prisoners subjected to correctional education, who had been acquitted, agreeably to the terms of article 66 of the Penal Code, as having acted without discernment. Since 1830, it has been sought to establish special houses for them, in some of which — among others, La Petite-Roquette, at Paris — it had been proposed to subject them to the severest system of imprisonment — the cellular system — "an experiment which no theory had dared to advise." *

So deplorable had been the previous system that this change was justly regarded as an advance.

Meanwhile, the honor of the great reforms relating to correctional education belongs chiefly to private effort. In 1817, the Abbé Arnoux founded, *rue des Grès*, at Paris, a small establishment of young criminals, which existed till 1832, and which did not fail to accomplish some good.

In 1839 the Abbé Dupuch, at Bordeaux, and the Abbé Fissieaux, at Marseilles, founded the first two important private establishments. The same year two courageous men, who may be said to have been endued with the penitentiary genius, MM. Demetz and Bretignères de Courteilles, in establishing at Mettray the first agricultural colony, created one of the boldest and most original of institutions. They avoided the least appearance of a prison. They put their prisoners on a smiling farm, in the open country. They claimed to

* Ministerial Circular of the 7th December, 1840. This system did not come to an end till 1865, after an eloquent speech pronounced in the Corps Législatif, by M. Jules Simon, which drew public attention to this point. See, on the cellular system at La Petite-Roquette, a pamphlet published by me under this title: "La Petite-Roquette. Paris: Durand. 1864."

hold them solely by moral force, by the conviction inspired in them that they were seeking only their own good. Never was there a nobler, a more triumphant experiment inaugurated. As the fruit of it, on all sides there sprang up establishments of the same kind; and the law of the 5th and 12th of August, 1850, on the education and patronage of juvenile prisoners, by enacting that these should be, thenceforth, placed in industrial or agricultural colonies, only generalized a practice, whose excellence had been superabundantly demonstrated by the devotion of individuals.

The old criminal statistics are silent in regard to the number of recidivists among the young prisoners, for the most part orphans of poor children, who had been abandoned by their parents, or had received from them only evil examples.* But all the documents agree in showing that, when they were sentenced to the central prisons, almost all speedily relapsed into new offences after their release.† From 1817 to 1832, the establishment founded by the Abbé Arnoux received only children selected from the least depraved; it showed ten per cent of attested relapses. This result was regarded as exceptionably favorable. At present this same proportion of ten per cent is the average of the relapses of all the juvenile prisoners liberated in the years 1864, 1865 and 1866, who have been prosecuted anew down to the 31st December, 1868. But certain establishments, such as Saint-Hilaire, Mettray, Nancy, Saint-Orens, etc., give a mean number far below the general average.

These successes, in the matter of correctional education, were probably the occasion of the resolution — shown by the decree of the 27th March, 1852, and by the law of the 30th May, 1854 — to suppress the bagnio, and to create at Cayenne (as the English had done in Australia since 1787), an agricultural colony, in which the convicts might be occupied in rural labors.

The idea was excellent; the design was *to place the man again under the general law of responsibility*, and to restore to him the

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* On the 31st December, 1866, natural children constituted 16 per cent of the population of the establishments of correctional education; half-orphans, 30 per cent; orphans by the loss of both parents, 8 per cent; children of the almshouses, 2 per cent. In another point of view, the parents of 38 per cent of these juvenile prisoners are classed as mendicants, vagrants, prostitutes, and criminals, or as unknown, disappeared from view, gone to parts unknown.

† According to a statement communicated by the prefect of police to the Patronage Society of the young Prisoners of the Seine, the relapses on the part of these children amounted, prior to 1832, to 75 per cent; and if the verification stopped at that figure, it is only because the remaining 25 per cent had left Paris, and because the criminal registers not being then in existence, it had been impossible to ascertain with certainty whether those who had been discharged had not committed new crimes elsewhere.

right and the means of action. The execution, however, was deplorable. Without doubt, we avoided the neglect and cruelty practised by the English in their first experiments of transportation; but the naval administration showed an utter ignorance of the prison question. It exhibited, in every thing, a fatal indecision and delay. The penitentiaries were placed at points distant from each other. We attacked in detail, in little clusters as it were, the powerful influence of the tropics, whose insalubrity could be combatted only by the most energetic efforts of a vast agglomeration of men.* Everywhere we were vanquished; and, to-day, wearied by a fruitless struggle of fourteen years, we are compelled to make a disgraceful retreat, after having lost by sickness and escapes 44.7 per cent of the whole number of convicts.† According to the declaration made to the *Corps Legislatif*, at the session of 17th of July, 1868, by the minister of marine, transportation will henceforth be confined to New Caledonia, whose climate is most salubrious. Let us hope that success will crown this attempt, and that the administration, enlightened by experience, will not repeat the faults which it accumulated at Cayenne; faults to which we shall have occasion to refer further on.

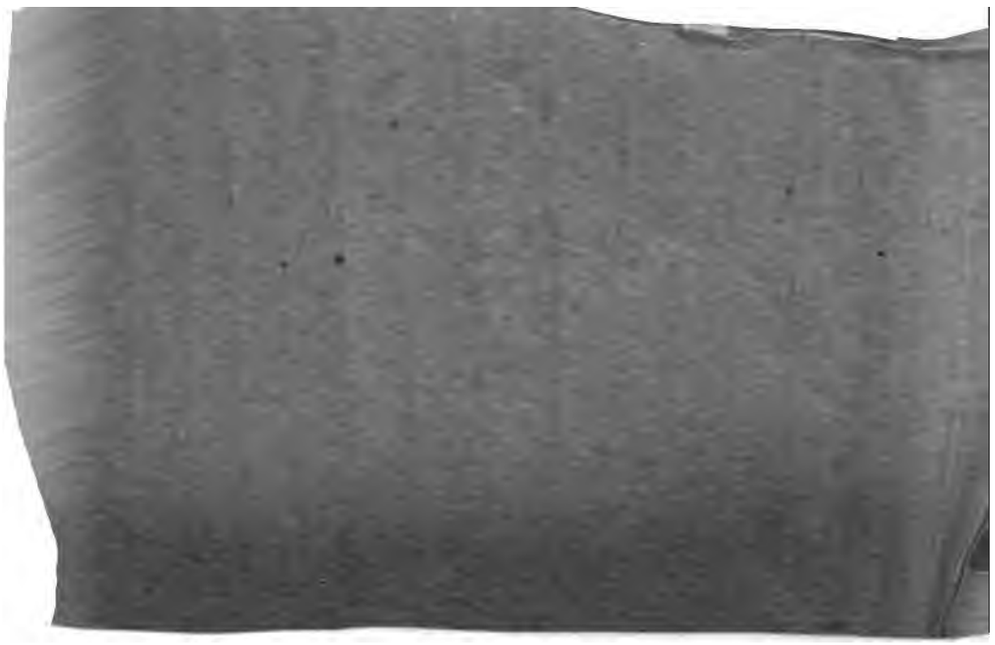
In organizing transportation to Cayenne, it was intended to abolish, for those sentenced to hard labor, the discipline and the habits of the bagnio. There was attempted, at the same time, a reform of the same kind in behalf of the inmates of the central prisons. It was resolved to create agricultural colonies. Corsica was selected as the place for making the experiment. There were found there large tracts of uncultivated land, and its insular position rendered successful escapes well nigh impossible.

In 1855, the penitentiary of Chiavari was established to the south of the gulf of Ajaccio. In 1862, a new penitentiary was founded at Casabianda, on the east side of the island. Finally, in 1867, the establishment of Castelluccio, situated between Ajaccio and Chiavari, and designed originally for juvenile delinquents, was opened for the reception of adult prisoners under twenty-one years of age.

All these establishments are on magnificent sites. The estate of Castelluccio is on the lower declivities of a steep mountain. It commands a small plain near Ajaccio, dotted all over with white dwellings, seen amid vines, olives, cactuses and Barbary figs. Farther on, the view takes in that broad gulf of Ajaccio, and, on the distant hori-

* See the book of a superintendent of the penitentiaries, M. Armand Jusseliu, entitled "*Un Deporté à Cayenne*," p. 38, 199 *et passim*.

† Essay on Transportation. Paris: Imperial printing office, 1867, p. 38. From 1852 to August, 1868, 17,017 persons had been transported to Cayenne. Of these, 6,806 had died, and 809 had escaped or disappeared.



con, follows the bold outlines of a mountain that stretches away to the west.

It is in the passes of this chain that we find the establishment of Chiavari. The sides of the mountain on which, formerly, only a scanty vegetation appeared, are now covered with vines and meadows. The landscape is less smiling than that of Castelluccio, but yields nothing to it in sublimity. The eye embraces all the windings of the gulf of Ajaccio, and, towards the north-west, beyond the Sanguinaires islands, which stretch away in a line, like the blocks in a huge pier, it wanders over the boundless expanse of the Mediterranean. At the head of the gulf, Ajaccio groups its stately dwellings five or six stories high, above which, in the distance, blend a thousand mountain summits.

Casabianda is on the opposite side of Corsica, 73 kilometres to the south of Bastia, in the fertile but deserted plain of Aleria. This plain is but a strip of alluvial soil, not more than three or four leagues wide at the most, lying between the sea and a range of wooded mountains. To the east, the islands of Elba, Giglia and Monte Cristo rise out of the Mediterranean. To the west, the sharp ridges of the mountains appear distinctly against a brilliant sky. Strong forts, stretching northward and southward, blend harmoniously their bristling outlines with the tranquil lines of the plain and the waters.

Air, light and space are abundant in the three landscapes which I have just attempted to describe, and the buildings designed to accomodate the inmates have nothing which recalls the prison. The windows are numerous and large; the walls, covered with white roughcast, are neat and cheerful. At Chiavari, flower borders and vegetable gardens, carefully kept, at the foot of a terrace on which open the residences of the higher employés, give to the principal establishment almost the appearance of a chateau. Vast structures serve to shelter the cattle and harvests, and inclose the workshops, in which divers rural industries are carried on. The place is open to every comer. One meets on the roads men dressed in coarse gray cloth, some alone, driving herds to the pasture, others going in companies of ten and twelve under the care of armed keepers. These men are the prisoners. Their costume (the same as in the prisons of the continent) at once points them out as such, and yet one scarcely recognizes them, so different are they in gait and language from the inmates of the central prisons. The prisoners whom one meets here walk like free men; in many, the look is steady; their civility is free from a base obsequiousness; they talk more simply and more clearly.

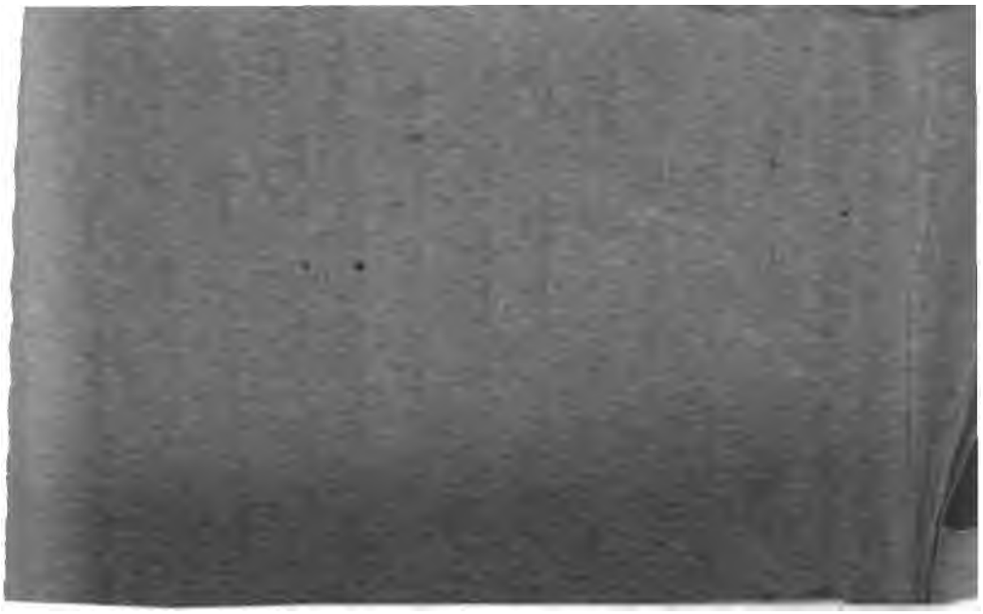
These are, without question, excellent effects of the comparative freedom of the discipline to which they are subjected. A traveler who has had the opportunity of observing the penitentiaries at Cayenne, the only ones in which transportation has achieved some degree of success, was no less struck at finding there, in the convicts, an assured look and an air of inward contentment.*

It may be believed that the administration of prisons would have attained, in Corsica, remarkable results, if it had founded its establishments in healthy localities. Chiavari and Casabianda are, in effect, devastated by fevers. To shield the inmates from epidemics which are continually renewed, they are obliged to take them, during the summer months, to refuges which — as Cervione formerly, as Mermano now — are more than thirty kilometres from the principal establishment. There result from this perpetual going and coming the gravest inconveniences to the discipline. Moreover, the labor is deranged by the precautions which have to be taken for the health of the prisoners. At Casabianda, they have been obliged to give up employing them in gathering the harvest; they are decimated by sickness. They are required to labor but five hours in the day, of which there are certainly not more than three hours of effective work. In spite of all these cares, in spite of an excellent dietary, there died in Casabianda, in 1865, twenty-four per cent of the population. It is true that in 1866 the mortality was only seven per cent, and that the experience of Chiavari, where the annual death-rate, after having reached fifty-seven per cent, has been brought down to one per cent, give hope that these distressing figures will at last forever disappear from the statistics.

The unhealthiness of a prison is greatly to be lamented, from the fact that it has no little influence upon the conduct of the prisoners. In a report on transportation, before cited, the Minister of Marine remarked that corporal punishments were much less numerous at New Caledonia than at Cayenne; and he does not hesitate to attribute this fact to the good health of the convicts.

It should be further noted that in these agricultural penitentiaries, where every thing is to be created and organized, good order depends more than anywhere else on the intelligence, zeal and firmness of the higher employés. But disease spares them no more than it does the prisoners whom they command. The chances of death are accepted by them with admirable courage and devotion. But when these men are weakened by fever and exhausted by suffering, is it to be supposed that they will always be able to preserve the equanimity and energy,

* *Feuille de la Guyane Française. Journal Officiel, No. du 30 Juin, 1866.*



which are indispensable to them in their difficult duties? Is it to be supposed that in this condition they can maintain, without intermission, a due supervision over the prisoners and all the affairs of the institution?

It were to be wished that henceforth, in the central prisons designed for industrial labor, we might seek, as has been attempted in Corsica, to eliminate the idea of captivity, which now weighs incessantly on the prisoners; that we might open these prisons to the air and the light; and that we might give to them a broad and noble horizon.

Is this possible? Experience answers affirmatively. In 1825, Capt. Lynds founded near New York the prison of Sing Sing, designed to receive persons sentenced to the severest punishments, and built no encircling walls around it. When MM. Demetz and Blouet, under a commission from the French Government, visited it in 1837, it contained 1,000 convicts. This population was guarded by only twenty-five keepers; yet escapes were very rare.* Other prisons have since been built in the United States under the same conditions; among others, the Albany penitentiary, of which Gen. Amos Pilsbury is superintendent. An escape is there a thing almost unheard of, although the population is composed of bold and turbulent malefactors. The twenty-first annual report of the Prison Association of New York states that this penitentiary is the most secure of all the prisons in the State, although resort is rarely had to corporal punishments, still too much used in America — punishments which convert criminals into martyrs. Kindness, combined with the strictest vigilance, suffices to keep all the prisoners together, and to assure an admirable order and an excellent conduct.†

The Kings County penitentiary is also an open, unwalled prison.

It appears further that, on the other side of the Atlantic, much value is attached to the beauty of the landscape where such prisons are placed. That at Sing Sing, built on a small plain at the foot of Mount Pleasant, is laved on the west by the Hudson river, whose outlines at this point afford the most exquisite views. The authors of the report on the penitentiaries of New York, for 1865, take pains to describe the places where these establishments are situated. "The penitentiary of Kings," they say, "occupies a beautiful and healthy position, on an elevated site, and the visitor is struck with the elegance of the building." ‡ Again, they show us the Albany penitentiary, "commanding an undulation of ground in the form of an

* Reports of MM. Demetz and Blouet on the Penitentiaries of the United States, 1837. See report of M. Blouet, p. 19.

† Twenty-first rep., p. 77 *et seq.*; twenty-second rep., p. 235 *et seq.*, p. 248.

‡ P. 91.

amphitheatre, whose declivities are covered with luxuriant grass, smooth and closely cut, and in the midst of which are scattered brilliant parterres of flowers." *

To me it seems right to accord to prisoners those agreeable views, which the most austere monastic orders have almost always reserved to themselves in choosing the site of their convents. Such a pleasure cannot injure the most exact discipline, while it must exert a happy influence on the moral conduct of the prisoner. A man of education and intelligence cannot live constantly within four walls without experiencing a waste of his being, a diminution of his powers. Yet books, recollections, and his own thoughts suffice to create for him an immense field, in which he can move at will, and from which there come to him sensations and emotions perpetually renewed. The external world is, as it were, condensed and stored on the shelves of his library and in his brain. What, then, can be expected of the criminal — without education, of feeble intellect, devoid of manhood, and benumbed in his faculties — on whom so stern a captivity is imposed? The problem is, to awaken in him some vitality, to raise his sunken nature. For this, no reliance can be placed on his own reflections, for there is nothing on his brain; at least, all that he has retained from without is, as it were, decomposed and distorted. But place him in the midst of a vast landscape. At once he makes himself the centre of what he has under his eyes; he brings it to himself; he makes it, so to speak, a part of himself. The life spread everywhere about him, the changes which, without cessation, that life causes external objects to undergo, are continually bringing new impressions to him. It is a stimulant to his lethargy.

There is no occasion to fear an excessive number of escapes. Our police is efficient enough to make it difficult for a prisoner who has escaped to avoid being retaken. They know his previous habits, his parents, his friends. It can be predicted, almost with certainty, that where he was arrested, there he will be re-arrested. As the hare started by the dogs, so the criminal, run down on all sides, instinctively returns to his home. If he escapes the pursuit for a time, how many anxieties and disquietudes press upon him! A director of the prison of Gand, in Belgium, where are undergone the sentences to hard labor, avoided, as far as he could, the infliction of punishment on escaped convicts who had been retaken. "Let them relate," said he, "to their comrades what they have suffered outside, and these latter will be cured of their desire to escape." In fact, few prisoners attempt to escape. At Casabianda, in 1866, in an average popula-

* P. 77.

ion of 499 prisoners, living in the open country, there were but ourteen escapes, all followed by recapture.* Besides, is not detention in unwalled prisons applied to children who are undergoing correctional education, and who are perhaps more difficult to guard than any other class of prisoners? Almost all work in the fields at full liberty. If they escaped, they might hope to be received into their family. Their youth, everywhere, more readily procures for them aid and protection. Well, in 1866, of 6,184 boys, placed in thirty-three establishments, 148 escaped, of whom only fifty-seven were not retaken. In the best governed houses, at Mettray for example, where the average population was 640 prisoners from 1863 to 1866, escapes were scarcely known. In these four years there was but one successful escape.†

The superintendent of a penitentiary at Cayenne, M. Armand Jusselain, comparing the results obtained in the unwalled penitentiary of Saint-Augustin and those in the walled penitentiary of Sainte-Marie, states that the escapes, which were none, or nearly none, in the first, were excessively frequent in the second, "in spite of the encircling wall, fenced with palisades, in spite of the four block-houses, and in spite of a discipline much more severe." He adds: "Perhaps I ought to say, owing to all that."

* * * * * * *

I would wish to see instruction imparted to a much larger number of prisoners. Until now, this has been done to an extremely limited extent. A circular of the 24th of April, 1840, recommended to admit to the school only certain very restricted classess of prisoners. The instruction accorded to them was considered as a favor. A new circular of the 4th of January, 1866, declared, it is true, that the administration ought not to neglect to give to the convicts the means of instructing themselves in their duties, of informing themselves as to their duties, and so of laboring, themselves, for their own reformation. "It is essential," adds this circular, "that they do not leave the central prison without having acquired the indispensable rudiments of primary instruction, exact notions of reading, writing and ciphering, which may be of great advantage to them in many circumstances of their life, and even in procuring work."

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*M. Doudun, an old director of the central prison of Embrun, now suppressed, often had occasion to send detachments of his prisoners to aid in the extinguishment of fires, who yet never dreamed of taking advantage of their short liberty to effect their escape. In the United States, in the unwalled penitentiary of Albany, under the management of Gen. Pilsbury, escapes are, so to speak, unknown.

†The founder of Mettray, M. Demetz, assured us that he saw no difficulty in keeping the inmates of a central prison under similar conditions with those in which were placed the children of his colony.

How happened it that they waited twenty years before recognizing the elementary truths, which are at last proclaimed to-day? It is inconceivable to what an extent instruction was neglected in some penitentiary establishments. The school existed only in form (at Casa Bianca it does not yet exist); in some cases there was no instruction. In spite of the circular of 1866, there were, on the first of January, 1867, certain male prisons in which 93 per cent, and certain female prisons where 90 per cent, of the prisoners had learned nothing since their entrance. And that solely on account of the negligence of the administration, and not through the fault of the convicts, for where they took the trouble to instruct them, as in the female prison at Montpelier and the male prison at Eysses, 55 and 48 per cent of the prisoners had learned to read, write and cipher. In 1865, four per cent only of the prisoners were noted as having profited by the lessons of the school in the central prison of Loos. There is reason to fear that this last figure, small as it is, was exaggerated, for in that same year I visited Loos. It was the duty of the teacher to give instructions to 1,200 prisoners in the central prison and 316 children in the correctional establishment of Saint-Bernard, so unfortunately annexed to the prison at Loos. He was further charged with keeping certain records. Frightened no doubt by the extent of his task, he neglected it entirely; he abandoned himself, I was informed, to drunkenness.* A keeper, to whom I expressed my regret, that the beautiful school-rooms of Saint-Bernard had thus become useless, eagerly assured me that the scholars went there even in the absence of the teacher; the regulation was obeyed! For the rest, great strictness was shown in the admissions to this imaginary school. These admissions were, for Loos, only thirty in 1864 and twenty-eight in 1863, out of 656 and 627 prisoners entered in the central prison in these two years.

The establishment of libraries would be extremely useful in most of the prisons. None, however, are found in the departmental prisons. They would be more necessary there than anywhere else, if it should be determined to apply the separate system in them. A circular of the 4th of September, 1844, directed that they be established in all the central prisons, but the indifference of the directors paralyzed the good intention of the higher administration. Thus, I believe that, in 1865, Beaulieu, Fontevrault and Loos had still no libraries. These three prisons are, nevertheless, among the most im-

* He was dismissed, and a special instructor has since been instituted for Saint-Bernard. Thanks to the new teacher of the central prison, twenty per cent of the convicts at Loos, in 1866, received the complement of primary institution; they learned to read, write and cipher.

portant. In the other prisons libraries exist, but they either scarcely allow the prisoners to make any use of them, or books of such a character are selected that they cannot be read by plain and unlettered people. I have heard prisoners complain that they generally gave them works above their ability; and I have been able to verify at Melun, that the library of the central prison would have been much more suitably placed in the study of a theologian. There were long religious treatises in several volumes, and series of tomes on the history of the church; whereas, on the contrary, there are needed books short, simple, clear, which relate actions; which set forth facts in a manner intelligible to the dullest intellects; which exhibit man struggling with difficulties, with dangers, and surmounting them by his intelligence and energy; which exalt the love of country and of family; which give courage, force, hope, or at least some distraction from present evils.

In the unwalled establishments of Corsica, as in the colonies of juvenile delinquents, silence is not imposed, and not the least inconvenience results from this fact. The prisoners communicate freely with each other, but there is no mutual corruption ensuing therefrom. Besides, we know that the obligation of silence cannot succeed in preventing communications between prisoners, not even under the cellular system; but as it keeps them in a state of constant uneasiness and irritation, they converse only under the influence of evil sentiments.

The liberty of conversation puts an end to one cause of punishment, and that the least justifiable and the most frequent. Thus, in 1866, we see that for every hundred prisoners in the correctional establishments for juvenile offenders there were only 284 infractions of all kinds; and that at Chiavari and Casabianda there were only 188; while in all the other central prisons for men, the average of infractions for every hundred persons was 388.

I will add that at the prison of Volterra, in Tuscany, where the cellular system is rigidly applied to certain convicts,* and where those of other classes are subjected to the absolute rule of silence, the impossibility of speaking aloud has great influence as regards the frequency and gravity of pulmonary affections, which are, unhappily, so numerous in our central prisons.†

If the mitigations I have just indicated were introduced into our central prisons, I believe not only that the consequence would be the

* Particularly to persons guilty of assassination and all other crimes for which the punishment of death has been abolished in the territory of the old duchy of Tuscany.

† There were in the central prisons, in 1866, 771 consumptives, of whom 230 died

suppression of a large number of useless, and for that reason deplorable punishments, but also that the punishments at present in use would become more efficacious. Is it to be believed that confinement in the cell is the same punishment for the man who passes all his days shut up between four walls, on whom a perpetual dumbness is imposed, and for him who, ordinarily, is at liberty to converse with his companions, and who enjoys the open air, the bright light and an extended prospect? The one will bear, with a sort of blunted apathy, a sojourn of several months in solitude, in gloomy and infected places; while a few days of similar sequestration will be, for the second, a frightful punishment.*

All the ameliorations indicated would introduce themselves in open prisons, for their principal advantage would be to exact a constant effort, a supervision without cessation on the part of all the employés. They would be able to keep the prisoners in order only by establishing among them a discipline strict and severe, but without extreme rigor—only by exhibiting in their presence a visible intellectual and moral superiority. It is at present a thing singularly easy to guard, under lock and bolt, in our central prisons, 1,000 or 1,200 prisoners, without apparent irregularities. Some breach of order is committed; the culprit is sent to the dungeon; he may there exhaust himself in impotent rage. The noise of the blows he strikes, if perchance there are no irons on his feet and hands, the noise of his outcries, will not trouble the rest of the prison. Escapes are not to be feared; high walls, guarded everywhere by armed soldiers, put an obstacle in their way well nigh invincible. But there is need of intelligence and character, when recourse must be had to other motives than fear to assure the regular movement of all the machinery, and to secure industry and obedience; when we are obliged to rely on some thing else besides stone walls to prevent escapes; and when, as is said of the Albany penitentiary of which we have spoken above, we have to surround the prisoners with a moral wall, which it is impossible either to scale or undermine.

I touch the penitentiary question here to the quick. Bad institutions corrupt not only those who are punished in them, but their evil influence affects those also who administer them. I think I may say that the administrative staff of our departmental prisons does not

* In the penitentiary of Louvain the prisoners are permitted at certain times to smoke. It is for them an inappreciable favor, as it would be in all our central prisons. The least offence involves a forfeiture of the privilege for a longer or shorter period. There is, I have been told, need of hardly any other punishments.

In the Albany penitentiary the use of tobacco is permitted to those whom they wish to reward for their good conduct. See twenty-second report of the Prison Association of New York, p. 247.

always rise to the height of its mission. It is a complaint which I have heard more than once in the mouth even of some of those who compose it.

Nothing acts on man more than man. Old officers, it is true, contend that prisoners, besides corporal punishments, are sensible only to privation of food, drink, tobacco, sleep, and to the contact of an evil and disgusting companionship; but they admit, on the other hand, that it is better to trust to discipline than to walls. The authors of the remarkable report on the prisons of the United States and Canada say: "Penitentiary science, the science of moral training, like all other sciences, demands a close and special study of the principles on which it rests. Men advanced in years can, with difficulty, pursue a path before untrodden, especially on a subject so complex as that of prison discipline."*

This was well understood by our most eminent practitioner in penitentiary science, M. Demetz. In founding Mettray, he considered that he needed, for superintending a special work, men specially chosen, and he immediately established a sort of penitentiary school for the instruction of the overseers of his young prisoners, to fit them for the performance of their difficult duties.

The brothers of Saint-Joseph direct the correctional houses of Citeaux and Oullins. Those of them who are charged with the oversight of the children, undergo, before admission, even in a subordinate capacity, to this function, a novitiate of more than a year. Their houses may be cited, in many respects, as models. The institution of Citeaux, says the statistical report (p. 114), is one of the best organized among the houses of correctional education. The good results of this method are striking, especially at Mettray, where, of 100 discharged prisoners there were, in three years, not more than six or seven recidivists, while the general average of recidivists, in all the establishments devoted to boys, fluctuates between 10 and 12 per cent.

The central houses for women are in a better condition as regards cleanliness, order and good conduct, than the central prisons for men. They owe this superiority to the fact that they are under the management of sisters early prepared for this difficult business. They were formerly under the surveillance of keepers selected at hazard, as is still the case in the central prisons for men. They were then in the most deplorable condition. The introduction of sisters into some of the female prisons of America has, in like manner, been followed by the same excellent results as in France.†

* See Prisons of the United States and Canada, 1867, p. 52.

† Report on the Prisons of the United States and Canada, 1867, p. 394.

Let the French administration enter the path in which Germany, it would seem, has already made good progress; it is that which will assure to it the largest and speediest results. Let it surround its prisoners with fewer walls, but place over them men who will inspire a positive respect; and let it provide them in such numbers that they can know personally all who are placed under their orders. France is justly proud of her army; but what care does she not take of it? Numerous schools train officers for the different branches of the service. Each of these officers commands, at most, only thirty or forty men, whom he has immediately around him, over each of whom he can exert a personal influence; and he has under him sub-officers — sergeants and corporals — for the most part young, active, and animated by a desire to distinguish themselves, and to advance in a career open only to merit.

The proportion of officers just stated is considered indispensable in the army. Do people know, on the contrary, how many higher employés, in a central prison containing a thousand or twelve hundred prisoners, are placed in charge of them? Six at most, who are — the director, the inspector, the physician, the teacher, the chaplain and the principal keeper. There is, it is true, a large enough number of keepers; but if there is sometimes reason to be little satisfied with their superiors, how much less can we repose confidence in these under-agents? Not only do they sometimes suffer themselves to be controlled by certain prisoners, but they are not always free from the suspicion of corruption. It has been found necessary to forbid them to converse with those with whose oversight they are charged, and they are every day made to pass into different workshops. The fear that they will be injuriously influenced by the convicts is much stronger than the belief that they will exert a salutary influence upon the latter.

Against the higher employés can be brought only the charge, if any, of neglect and incapacity. They are sometimes chosen with an extreme disregard of the interests to be intrusted to them. Important positions are bestowed through favor upon men, highly honorable no doubt, but notoriously incompetent to fill them. Have we not successively seen the direction of the prisons of the department of the North, and afterward that of the department of Pas-de-Calais — both newly created and in which the whole service had to be organized — placed in the hands of a retired colonel of the gendarmes, who was sickly and not in a condition to engage in any business whatever?

The administration depending on the Minister of the Interior counts, certainly, in its bosom, a large number of experienced and

capable men; but it is far from having full power over all the penal establishments. The prisons of the department of the Seine (and we have seen what some of them are) are, in fact, removed from its authority. It is the prefecture of police which governs them, so to speak, without control. Those who are sentenced to hard labor (*travaux forcés*) are under the jurisdiction of the Minister of Marine. In like manner, those who are in the bagnio and those who are sent to the penal colonies are assigned to entirely distinct directions.

What happens? The prefecture of police is, above all, occupied with assuring the public safety of Paris. The Minister of Marine is constantly busied in transferring immense naval stores, in organizing distant expeditions, in transporting armies to Russia, to China, to Mexico, and in the transportation of supplies. Penitentiary questions are, for both, a mere incident. When their special duties are fulfilled, they are not held to a very strict account for defects in some details with which they are charged only outside of their proper work, and they give themselves little concern about them. There is no responsibility.

All the information I have been able to gather concerning Cayenne shows how ignorant of the character of prisoners and the manner of controlling them were the officers of the navy, charged with the superintendence of some of the penitentiaries. They took precautions against the convicts which were inspired by a ridiculous terror. Everywhere they incessantly watch the convict, while it is he who fears his overseers. Hundreds of men, armed with implements of labor, who would be able to transform themselves into terrible armies, tremble under the glance of the lowest employé.

It will readily be believed (I have been so informed by credible witnesses) that all the officers, suddenly transformed into directors of prisons, were not chosen among those who best knew how to command men, but that some of them were selected because of a reputation for excessive severity. As if a stolid hardness were more suited to convicts than to the crew of a ship!

The demand should be instantly made that there be, henceforth, for all our prisons, unity of direction and, as consequence, responsibility; that a higher grade of qualification be found both in the keepers and the superior employés; and that they be trained for their work by special studies. It is by such agents alone that we may succeed, to a certain extent, in raising our prisoners from their degradation. Hopes too flattering have sometimes been excited in the public. It has been believed that we might effect an entire rehabilitation of criminals. This was an illusion which had to be given up. Thence, immediately, resulted a great discouragement, a

profound scepticism in every thing relating to penitentiary questions. The prior credulity and the subsequent despondency are both unmanly. It is not by inspiration that we can reach a solution of the problem of the reformation of criminals. It is, above all things, necessary to study the nature of those whom we have to do with in prisons. Now, men commonly reason as if the cause of crime was headlong passion and an exuberance of force. But we must form our judgment on evidence. The cause of crime is egoism, weakness, torpor, inertia.

In adults we can no more absolutely remedy a vicious intellectual nature, than we can a vicious physical nature. At the same time, there is no man, however diseased, whose life the physicians do not endeavor to prolong. So, however depraved a man may be supposed to be, we ought, by all means, to seek to bring him back to an honest way of life; we ought, without ceasing, to urge him to act in the common interest; to this extent should we regard as precious the coöperation of whoever constitutes a part of humanity.

But if we ought not to expect too much from convicts, it would be unjust to show towards them an excessive disdain. Supported by a kind and steady hand and guided in the right way, there is, so to speak, no task which they cannot perform. Strange thing! Even in the lowest category of galley-slaves, there exists still a point of honor. A commissary of the navy, who had them under his orders at the bagnio of Toulon, said to me (and in that he only confirmed a fact long since observed by M. Demetz, and on which he based the whole organization of Mettray) that the division of the galley-slaves into different platoons enabled them to obtain, at times, an extraordinary amount of work by exciting the emulation of one group in the presence of another.

Governed even as they are, the galley-slaves have known how to show themselves capable of devotion, when an appeal has been made to them under grave circumstances. In 1793, when the English, on abandoning Toulon, set fire to the shipping and the arsenal, the galley-slaves displayed, in snatching from the flames whatever could be saved, an admirable courage; and, according to the testimony of M. Moreau de Jonnès, who directed them during several murderous actions, they knew how to fight heroically. When Toulon was attacked by the cholera in 1865, the terror spread everywhere; there were not arms enough to remove the dead; it was to the galley-slaves they applied; and these hastened to the mournful service which was asked from them.

An inspector of Casabianda related to me that, having been detached from the principal establishment with 136 prisoners, he had



had, in four months, 120 sick, of whom forty died. He himself, attacked by the fever, had been in a critical state. Yet not the slightest spirit of insubordination was shown.

M. Armand Jusselain, superintendent of the penitentiary of Saint-Augustin, at Cayenne, declares that nearly the entire number of convicts under his orders had left in his mind only pleasant recollections, although they had been obliged, by a succession of the fevers of the country and the yellow fever, to endure trials which might well have driven them to acts of despair.* There may have been, in their resignation, as much indifference to life and as much insensibility, as there was rational and generous devotion. It is not, for that, less certain that such men do not deserve to be thought incapable of any good and useful work. We should know how to show them some confidence, how to persuade them that we believe in their cure and in the restoration of their moral force.

I have just said that it is not possible to remedy, in the majority of adult criminals, a vicious intellectual constitution. Shall they, then, be fatally devoted to crime as soon as they are restored to liberty? Yes, as long as they are abruptly cast out of prison the moment their punishment expires; as long as they shall meet in the public only suspicion, scorn and repulsion; as long as they shall be subjected to the humiliating surveillance of the police. But I am persuaded that many might be saved if they found, after their liberation, some support against despondency, some succor against misery, some force of opinion against the assaults of vice, and if some rule of conduct should be traced for them with kindness and decision. They are weak, and must be held up; they are blind, and must be led. It is the honor of the Irish system, which I have already sketched in few words, to have drawn attention to this point, and to have sought to solve the difficult problem of the reëntrance of the convict into society by granting him, before the expiration of his punishment, a provisional liberty, which the smallest irregularity may cause to be revoked, but during which there is assured to him remunerative labor. This system, inaugurated in 1854, was not absolutely new; for in 1832 a ministerial order of the 3d December had permitted, at Paris, to accord provisional liberty to children sentenced to correctional education. It was, however, no less a generous boldness in the founder of the Irish system to have extended such a measure to all classes of prisoners. Provisional liberty, it seems, furnishes the best results in the district of Dublin — thanks to the zeal of the functionaries, who watch over the liberated convicts.

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* *Un Deporté à Cayenne*, p. 315.

I am of the opinion, however, that in France such surveillance ought not to embarrass the administration of the prisons. The present of the discharged prisoner would be, as it were, joined to his past in a manner too close and visible. On the other hand, the several administrative services are, among us, governed with a regularity and an inflexibility, which with difficulty lend themselves to a work of philanthropy and charity.

It would be an affair of individual effort to form associations to come to the succor of discharged prisoners, to aid them with counsels and money, and to obtain for them employment. Such a society has existed in Paris since 1833, to aid the young prisoners of the Seine; and, although it has had but a limited sphere, it may be affirmed that it has done much good. It would be desirable that it should enlarge its operations, and offer its protection to the adult prisoners of the Seine on their liberation. The United States of America offer us, in this regard, a noble example in the Prison Association established at New York in 1844. The aim of this association is manifold. It procures defenders for persons arrested or indicted who are without resources, and whose causes seem worthy of interest. It seeks to introduce improvements into the discipline and government of prisons, and has, to this end, the right of inspection. It seeks to aid the reformation of discharged convicts by procuring for them the means of an honest livelihood, and by supporting and encouraging them in their efforts to that end. The number of unfortunates annually relieved by this association is counted by thousands. True, it is aided by the State and the city of New York; but, if needful, the contributions of its members — which in 1865 amounted to more than 31,000 francs — would alone suffice to sustain it.

Such an example of individual zeal and effort is worthy of imitation. If the public in France was convinced of the importance of penitentiary questions — if it interested itself in such questions — if it would accord to discharged prisoners an active patronage — the population of our houses of correction, of our central prisons, of our galleys and our penal colonies would experience a rapid diminution.

The mass of persons who enter our prisons is composed, to the extent of two-thirds, of men and women less than forty years old, in the full vigor of life. It is not well done to remove from society such a contingent, comprising thousands of individuals. However proud we may be of the real grandeur of humanity, we can often see that we are very feeble and very miserable on this terrestrial raft of ours, lost in the immensity of space. We should not despise the aid and the succor of a single one of our number. It is, at least, a grave fault to have until now acted in such a manner with reference to

some of our fellow-creatures, that not only have we extinguished in them every principle of force and of activity, but have transformed them into agents of disorder and corruption.

We have thus done a great wrong. We ought to seek to repair it as speedily as possible.

XXXIII. FOREIGN CORRESPONDENCE.

The number of letters received from our foreign corresponding members during the past year has been very large. Owing to the great length of the present publication, and not at all to the want of interest and value in these communications, it is deemed impracticable to give more than brief extracts from a very few of them.

1. From the Hon. John Stuart Mill, M. P.

Blackheath Park, Kent, June 28, 1868.

Dear Sir: Allow me to express the high sense I entertain of the honor conferred on me by being appointed a corresponding member of the Prison Association of New York. My occupations are not likely to allow of my contributing, like several others of your corresponding members, important papers to your transactions, but, as far as I can judge from such attention as I have been able to give to the annual report of which you have favored me with a copy, the objects and principles of the association are worthy of all approbation; and all experience shows the value of such organizations in preventing or checking the growth of abuse in the management of prisons, reformatories, or workhouses.

I have the honor to be, dear sir,
Very sincerely yours,
J. S. MILL.

Rev. Dr. Wines.

2. From Mr. Commissioner M. D. Hill, Q. C., England.

Heath House, Stapleton, Bristol,
June 19, 1868.

My Dear Sir: * * * * * *

This folly of Dr. Fosgate is of a mournful kind — the folly of a man of fair natural ability, who has enjoyed the advantages of education, or at least has been put into the way of enjoying them. But we find in our country a certain proportion of men (including women in that term) who are invincibly wrong-headed — who, if a subject yield a bad argument, and what subject does not, if bad arguments are carefully sought? will certainly find it out and use it.

The subject you propose for a paper in your next report — the substitution of reformation sentences for time sentences — is one, the

nportance of which cannot be overrated. Yours is a nation of hich it may justly be said, "*Quod vult valde vult.*" If, therefore, ou adopt a reformatory treatment as better than that which is imply deterrent, it may safely be assumed that you desire reforma- ion to be complete, at least to the extent of rendering it not langerous to the community that a prisoner who has attained, in the judgment of persons competent to form an opinion, to that state of progress which I have indicated, should be discharged — whether to an unqualified extent or subject to restrictions and responsibilities, is another matter.

In either case, however, it is quite clear that to fix a period for discharge in the sentence is calling on the judge to take upon himself the attributes of a prophet. In short, the reformatory system of treatment, by necessary implication, calls for the abrogation of time sentences.

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Deeply do I sympathize in every effort of your meritorious Association. I know but too well the difficulties which you have to encounter, and I am sometimes astonished at your perseverance for so many years against the multitude of obstacles which bar almost completely your progress. These, however, are rapidly giving way. I particularly rejoice at your prospect of casting out the political element from the control of your prisons.

I am, my dear sir, faithfully yours,

M. D. HILL.

Rev. E. C. Wines, D. D., LL. D.

3. From Sir Walter Crofton, Author of the Irish Convict System.

Winchester, June 20, 1868.

My Dear Sir: I have to thank you for your letter of the 4th inst. and for the abstract of the twenty-third report; the report itself will no doubt come to hand in a day or two.

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Your very interesting abstract informs me that you have made very great advances toward perfecting "prison reform." It is to be most devoutly hoped that the amended Constitution will be adopted by the people, and thereby give effect to your efforts in improving prison discipline. Without removal from the region of party politics, it is next to impossible to attain improvement; and at times I quite marvel at how much has already been effected. It is a bright tribute to you and your fellow workers in this great and much-neglected cause.

We are progressing here, but not so rapidly as we could desire. The building of new prisons and altering of others to bring them into conformity with the Prisons Act 1865, has caused delay in the adoption of a proper classification. The statute has very properly made a crude classification imperative upon all; but some magistrates have not elaborated the classification as they might have done. In some of the large prisons, however, the classification has been very carefully developed, and the Irish system introduced with advantage. Amongst these I may name the borough gaol at Liverpool, which is quite worthy of inspection. They have a formidable mixture of prisoners to manage, and the gaol is well worthy of a visit. The intermediate establishment for female convicts, to which they are sent (if well conducted), on tickets of license, before liberation, has been removed to this place, and is not far from my residence.

I hold the strongest conviction that by commencing with stringent treatment, and allowing, or rather inviting the criminal to coöperate with you in its relaxation until his release, is the true system of penal reformatory discipline.

We have been rather pained in this country by some recent disclosures in a blue book, showing that our colonial prisons are, generally speaking, in a most discreditable state, and those in India quite as bad. Politics are too absorbing just now to get these matters attended to; but I trust ere long these evils will be redressed.

I am, ever yours truly,

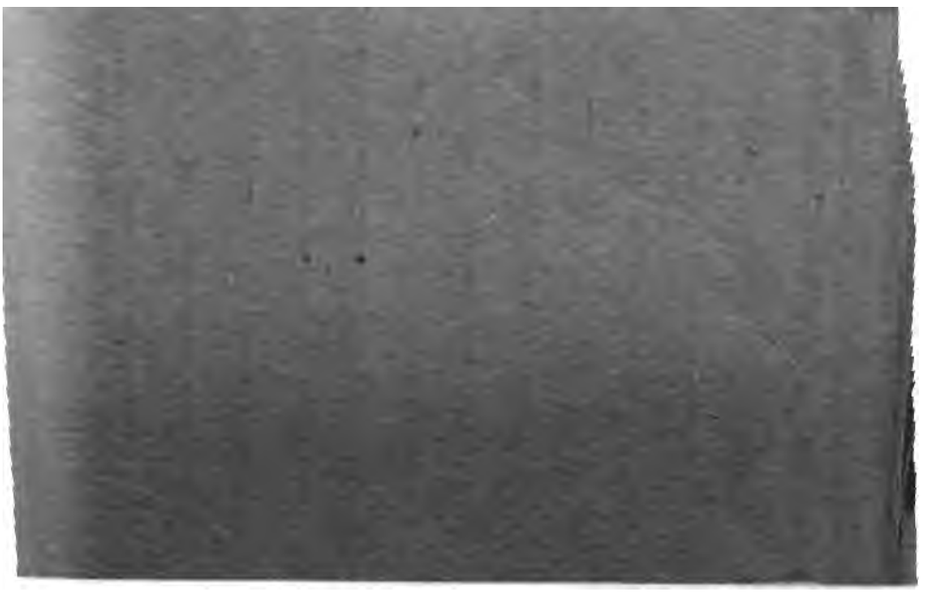
WALTER CROFTON.

4. From Mr. William Tallack, Secretary of the Howard Association, London.

Howard Association, London, 5 Bishopgate street Without E. C., Jan. 16, 1869.

Rev. E. C. Wines, D. D.:

Dear Sir — The valuable reports you sent me I have read with much interest, and have sent them to members of our association as Mr. J. T. Hibbert, M. P. (chairman of the visiting magistrates of Salford gaol, Manchester) and Sir John Bowring, F. R. S. The latter is one of our most active members. He plies his pen continually in promotion of our objects. At the Devon quarter sessions, he has repeatedly urged the adoption of more prison labor of a remunerative and reformatory nature. After meeting with much opposition or indifference, he is now receiving the influential support of the Earl of Devon and the Earl of Fortescue, the two most influential noblemen in the county. At the quarter sessions this month (Jan., 1869), Sir John proposed and carried a motion for a grant of £50 from the



county funds to enable the prison governor to visit such prisons in other parts of the country as have been most successful in the adoption of increased labor of a remunerative nature.

Another active member of our committee is Mr. Charles P. Measor, formerly the deputy governor of Chatham convict prison. He agitates the question of criminal treatment by frequent letters to the *Times*, *Standard*, and other London journals of influence.

As an association we also ply the press throughout the country with information, paragraphs, etc., in support of our objects. It is evident that our labors have not been in vain; our principles are manifestly making way in the public mind, and are being increasingly adopted by prison officials. But in our country all progress of this kind is peculiarly slow, owing to the inveterate prejudices of some aged officials. Mr. Frederic Hill and Miss Mary Carpenter, are thoroughly sound as to their advocacy of remunerative prison labor.

* * * * * * * *

The family of the Hills, including Frederic Hill, M. D. Hill, Edwin Hill and Sir Rowland Hill, Baronet, are a first rate and wonderfully intelligent family, of much influence on all subjects connected with prisons and criminals. And their views are sound and practical.

In connection with criminal discipline we have given much attention also to the kindred subjects of destitution, temptations to vice, the suppression of vagrancy, etc.

Another matter which has lately claimed the attention of our committee is that of criminal lunacy. The present law in this country is exceedingly defective on this point. It refuses to recognize any persons as being insane so long as they "know the difference between right and wrong." In other words, it virtually confines insanity to raving madness or absolute idiotcy. The whole medical profession are opposed to this view. Physicians reply that the very government of all lunatic asylums is largely based on the simple fact that their inmates *do* know "the difference between right and wrong." Indeed, a remarkably acute and subtle intelligence often characterizes some of the most dangerous madmen. But our law does not recognize this. Consequently, in numerous instances, the unfortunate victims of mental disease are committed to the *penal* condition of the convict gang and occasionally (though happily very seldom) to the gallows. We hope to obtain (either this year or next) a royal commission of inquiry into this whole question of criminal lunacy.

We shall be glad of your report for this year, as we have found very useful those with which you have hitherto favored us. Your large and flourishing Association is doing much good under the

energetic guidance of yourself and your colleagues. We value all our American correspondence, especially that from yourself, Mr. Gideon Haynes, etc.

I am, dear sir,

Yours very truly,

WILLIAM TALLACK.

5. From Baron Franz Von Holtzendorff, Professor of Law in the Royal University of Berlin, Prussia.

Berlin, July 27, 1868.

My Dear Sir,—I have received your letters and all the books, whose loss I had feared. More than eight months the parcels have spent on their tour to Europe. Once more I take this opportunity of expressing to you my gratitude for your kind attentions.

It gives me very great pleasure to perceive your satisfaction at my report on the German prisons. I felt much difficulty in giving a comprehensive view of this most complicated matter, and had very little hope to meet your expectations.

The last report of your Prison Association is excellent work, of uncommon and methodically unprecedented merit. No attempt has hitherto been made to collect within such a report all the materials having reference to the same object in foreign countries. Therefore, it may be said without any exaggeration, that your idea of printing short reports on foreign prisons, together with those of your New York Association, may lead to a centralization of prison experience. It will be of the highest use, also, for us to have such a panorama of progress, and a permanent exhibition of what is being performed on this territory of humanitarian work. At all events, you may feel firmly persuaded your New York reports will not benefit your own countrymen alone. * * * * * *

Believe me, my dear sir, very faithfully yours,

FRANZ VON HOLTZENDORFF.

6. From M. Bonneville de Marsangy, Counselor of the Imperial Court of Paris, etc.

Paris, June 29, 1868.

Dear Sir and Colaborer,—I received on the 13th inst., by mail, your twenty-third annual report, and a few days subsequently your welcome letter. I sincerely regret that your long silence has been caused by that series of accidents and indispositions with which you have been afflicted. I learn at the same time, with pleasure, that you have at last recovered your health; and that, if for a short time you have been placed *hors de combat*, you have nobly surmounted

your troubles, and find yourself to-day a more robust and valiant athlete than ever, and altogether disposed to resume, with new ardor, your useful and important labors. In proof of this, I have your excellent report, which, apart from what relates to myself personally, is most interesting in all respects. The papers of Messrs. Crofton, Organ, Holtzendorff and Scalia impress upon this publication, in an international point of view, a scientific and practical stamp, which is invaluable.

On this account I should be delighted if, when next you send any thing to the Legation of the United States, you would be pleased to forward to me at the same time several other copies of the report, with which I may, as occasion serves, gratify some of the *savans* of France and other European countries.

At the same time that I received your letter, I was the subject of another piece of good fortune, namely, the visit of your honorable president, Mr. John David Wolfe. Under a form at once noble and patriarchal, he is the true type of high intelligence, of frankness, of simplicity, and of genuine American cordiality. After a few moments' conversation it seemed as if we had been friends for twenty years. This, my dear sir and colaborer, is the wonderful secret of these social and humanitarian sciences, whose study exalts the mind and warms the heart to that degree that, drawing together true men of all languages, it makes of those who were strangers in the evening friends in the morning. * * * * *

I have found your translations very faithful. They have rather embellished than disfigured me. I could only have wished that you had had writings of greater value to transfer to your noble English tongue.

I am not surprised that the editor of the *Courier Français* was not able to explain to you what is meant by criminal registers (*casiers judiciaires*). We have even in France distinguished men who are ignorant of this grand institution, although it has been in operation for about eighteen years, to the great advantage of justice and of the country.

If you will have the goodness to refer to the appendix of my first and second volumes on the Amelioration of the Criminal Law, you will find an exact account of them. Nothing can be more simple. It is the mirror of Archimedes, which concentrates, in a single known focus, notices of all the convictions which may have been had against any given individual (*quislibet ex populo*), at different times and in different places. This conventional focus is the Register of the Tribunal within whose jurisdiction such individual was born. Every conviction of a criminal is immediately transmitted to the place of

his nativity, and inserted in the criminal register thereof. By means of this organization, which may easily be established in any country, as soon as a person charged with crime appears before a court of justice, the magistrate, who is interested in knowing his judicial antecedents (*primum consideranda est persona nocentis*), can — in a few days by mail, in a few minutes by telegraph — obtain an exact statement of all the convictions anywhere previously had against him; and, consequently, he is in a condition to apportion the penal dose according to the degree of the perversity or incorrigibility of the criminal.

In the same way the administration, being always able to possess itself of the criminal biography of every citizen, may separate from the army, or from the national guard, or from the lists of electors and jurors, or, in short, from the public service, every individual who may have been, often without the knowledge of his fellow-citizens, convicted of a crime in a different place from that in which he resides.

Such, my dear sir, are the criminal registers. They are one of the most effectual means for the prevention of crime, through the just terror inspired by the record of the conviction in the register of his place of birth. They are also the sole means of punishing effectually and justly a relapse; since we can only, in this case, adjudge his punishment *pro consideratione facti et pro malicia nocentis;* that is to say, increase it according to the number and the nature of the offences previously committed.

In short, as every true idea, on whatever side it may be viewed, must yield fruitful results, the criminal register is a productive impost in this sense, that the affirmative or negative extracts from it, given by the administration, are paid for at the rate of thirty cents each. Now, these extracts are every day called for by letter — either by those who, having to contract with some individual or to trust him, have need previously to be informed concerning his past moral character; or by those who, wishing to obtain some service or employment or favor, of whatever kind, are interested in proving, by the negative extract from the register, that the person is free from all judicial antecedents.

If these ideas were still more widely disseminated than they are in point of fact, honesty would become a necessary instrument of labor and of success. All intelligent men would abstain from violating the laws of society, were it only from this motive, that a conviction, once inscribed in the criminal register, would put an end to all their projects for the future. In a word, this measure permits society to treat every one *according to his works*. It is the supreme and infallible realization of the *suum cuique*.

I will willingly communicate to you, if I have the time for it, another paper for your forthcoming report. I ask only that you will intimate, by approximation, the subject you would have me treat, and the exact time it must be received.

I confess that I write reluctantly on criminal and penitentiary subjects, disheartened as I am by the little attention which these subjects obtain, amid public pre-occupations. In the present age, intent chiefly on gold and pleasure, all that does not tend to this two-fold material end meets only with insensibility and indifference. The Roman philosopher might, even in our day, exclaim: "*panem et circentes* — bread and games"!

Be pleased to accept, dear sir, together with my thanks, the renewed expression of my sentiments of cordiality and devotion.

BONVILLE DE MARSANGY.

7 Rue de Penthievre.

7. Letter from M. A. Corne, Advocate, France.

Douai, June 27, 1868.

Dear Sir: I need not tell you how much I felt honored by the flattering distinction of which I have been made the object by the Prison Association of New York. I shall feel much obliged if you will convey to its members my most sincere thanks for the title of corresponding member, with which they have been pleased to gratify me, and assure them that I will seek, henceforth, to render more and more close the bond which unites us. The best means of doing this will be, without doubt, to make known, in the feeble measure of my powers, the character of your Association, the manner in which it does its work, and all the good it accomplishes. Let us hope that, some day, there will be found in France also earnest men, emulous of following your example, and happy to aid you in the good work which you have undertaken.

* * * * * * * *

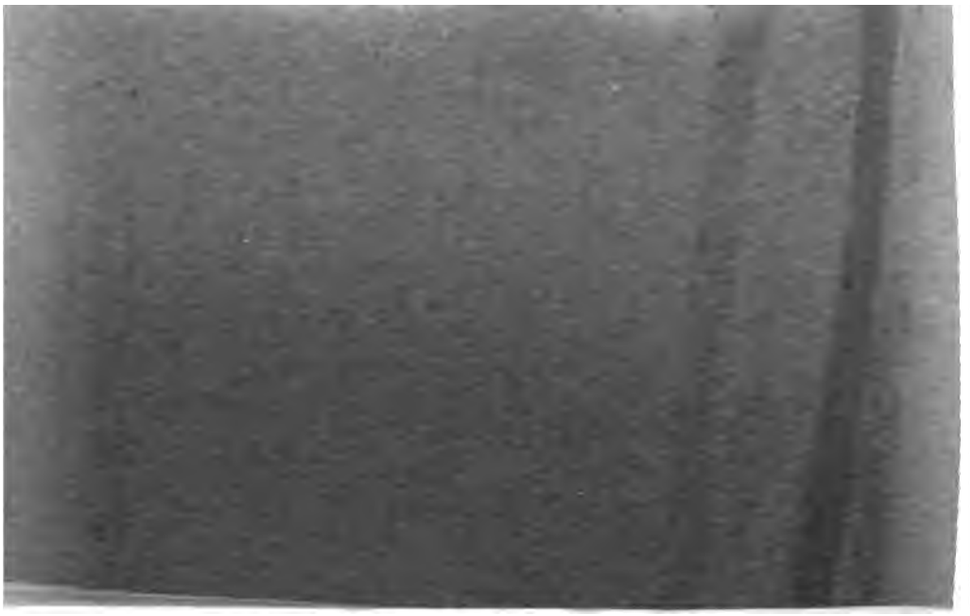
I beg you to receive, dear sir, together with the assurance of my very distinguished consideration, the assurance of my most respectful and devoted sentiments.

A. CORNE.

8. From Sig. Martino Beltrani Scalia, Inspector-General of Prisons in Italy.

Florence, Aug. 28, 1868.

Honorable Sir: * * In the package which I address to you, you will find a complete collection of all our official documents relating to prisons — regulations, schedules of charges, statist-



ics, plans, etc. You will there find, also, all that has been published, to the present time, of the statistics of our charitable institutions; and two copies of my history of prison reform in Italy, of which you will make such disposition as you think proper, if, perchance, those I sent by mail have come to hand. Towards the end of the month of November, I will take care to send you a *résumé* of the progress which the penitentiary question has made among us, in continuation of that which you had the goodness to publish last year. Let me know if, for convenience of translation, you prefer that it should be written in French, since I do not know English sufficiently well to write it with ease.

In a few months from this time the *project* of the new penal code is to be discussed by our Parliament, and it is highly probable that the question of the penitentiary system to follow will have its definitive solution. I have already informed you of the existence of different opinions in Italy, and of the struggle that will take place on this occasion. Whatever turn things may take, I am resolved to enter, myself, into this battle-field as a decided partisan of the Irish system, and I hope to gain the cause.

My idea is, then, to commence immediately the publication of a penitentiary review, which shall be, so to speak, the organ of the Irish system; but it will be impossible to attain the end in view without the coöperation of those who, like myself, support the same cause.

I have, then, a double request to make of you: 1. Will you have the goodness to furnish me a report on the present state of the penitentiary question in America? 2. In the editorial management of my review, may I count on your support, and place your name by the side of those who have already accepted my proposition — such as MM. Vidal, Vaucher, Cremieux, Grèvelink, etc.?

I am far from expecting that my honorable colleagues will be wholly occupied with my review. I only ask of them *to remain in the current of the progress of penitentiary science*, and each one will have, in his turn, the great advantage of knowing the progress realized by other nations.

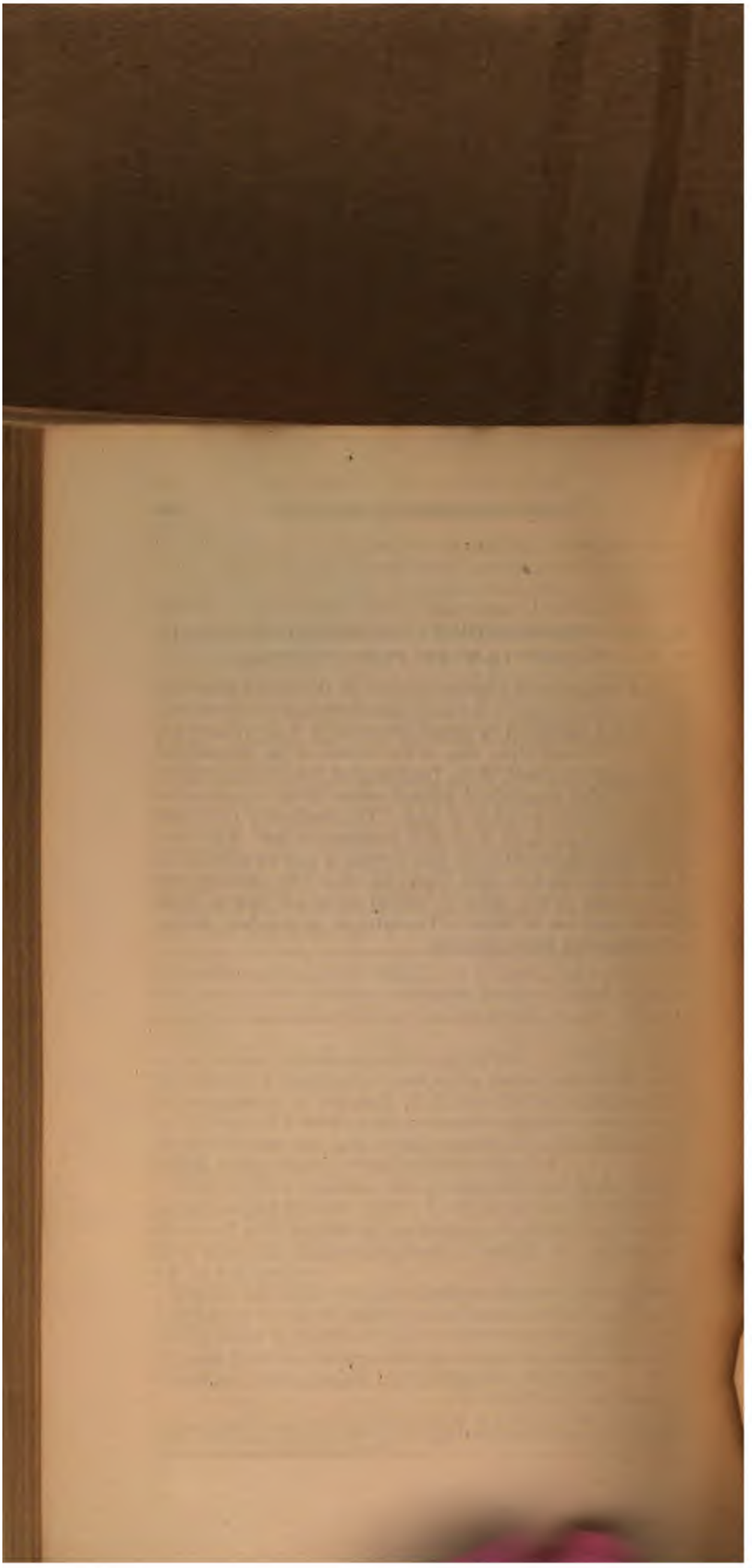
I would fain believe that your health is completely reëstablished, and that you are able to resume your occupations with that energetic activity which is inspired by the consciousness of doing good. In that case, please to answer as speedily as possible; and in the meantime accept, I pray you, my most distinguished sentiments.

M. BELTRANI SCALIA.

P. S.—I open this letter to say that I have added to the package forwarded to you a large volume of the Doings of the Statistical Congress, held at Florence in the month of May, 1867, which forms an exceedingly interesting publication.

XXXIV. MEMORANDUM CONCERNING A COMMUTATION LAW IN PENNSYLVANIA.

Since the paper on commutation laws in the United States has been in type, information has been received, through correspondence, that an act, similar in its general provisions to those whose text is given in the said paper, was, at the instance of the Philadelphia Prison Society, passed by the Legislature of Pennsylvania, May 1, 1861. The act was declared unconstitutional by the supreme court of that State on technical grounds. The members of the Prison Society remain still in favor of a commutation law. They have either proposed, or will in due time propose, a new act so framed as to avoid the objections made against the other. We earnestly wish them success in this endeavor, assured as we are, that no more effective step can be taken in Pennsylvania, or elsewhere, for the improvement of prison discipline.



APPENDIX.

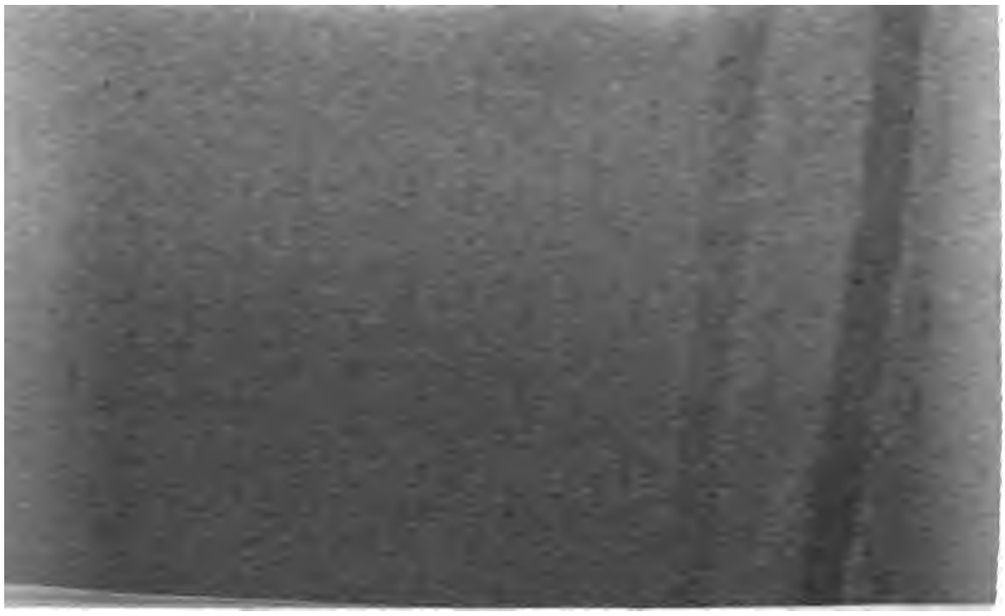
XTRACTS FROM THE EVIDENCE TAKEN BY THE COMMITTEE.

SING SING PRISON, *August*, 1868.

l Walker, being duly sworn, testified as follows: I first contracted
rict labor March 1, 1867, for five years—100 convicts at fifty cents a
was the lime and marble contract; that was the only contract I
d it was in force July 1, 1868; I resold it to the State for $125,000,
bill of sale bears that date; I had before had a contract for one
piring March 1, 1867; on July 1, 1868, we had two lime kilns; they
ut $3,700 each; the cost of all the property transferred to the State
than $50,000; the value of the contract made up the balance of the
id; I will furnish a schedule of the property, and its cost; I em-
all the men called for by the contract all the time, and sometimes
turned out, on an average, 100 barrels of lime a day—50 to each
at is not as much as a kiln can do; we burned about two and a
cords every 24 hours in each kiln; we estimate the wood at forty
make a barrel of lime; the new kiln built by the State will, I
urn out 65 barrels each day; a ton of stone makes four and a half
of lime; we estimated the cost of getting stone into the kiln at fifty
ton; this includes the contract price for convict labor, and all other
s; we employ citizen labor; that amounts now to about $600 a
I estimate the cost of a barrel of lime now at about eighty-five
ncluding the barrels; our price is now $1.90 per barrel, delivered on
here; to introduce it, we sell for less; we make barrels; the cost
is about twenty-eight cents; the kiln will turn out from 50 to 65
per day; we also turn out fluxing; with 100 men I could get out
of fluxing; the average sale last year of fluxing was eighty-five
ton; it does not cost as much as limestone; I can now put it on
oat for thirty-eight cents a ton; we now sell for seventy-five cents
we could make $1,200 worth of cut stone per month, in addition to
d fluxing; a ton of lime will make five barrels of marble dust,
osts about forty cents a barrel, and is quoted at $1.25; I would put
ety cents, I think.

ew Benson, being duly sworn, deposed and said: Am principal
of this prison; there are about 1,144 men in prison now; the auger
t is broken up; they are now packing up and expecting to be away
rsday; they have given up the contract; the whip contract was
up on the last day of September; I cannot give any reasons why
ip and augur contracts are given up; the malleable iron contract
employs 99 men—contract calls for 100; malleable iron contract
Hayden]) employs, I think, 24 men; the cabinet contract now em-
men; they have been hired out, and are not now worked in full;
n are at work on shoe contract—the contract calls for 150; all the
work is under the charge of Mr. Walker; saddle contract employs
; buckle shop, 105; chain shop has 62 men at work, and we are
up forges to work 74; the State works, at present, 42; they are re-
and doing miscellaneous jobs; the marble works report 235 em-
in that business.

am Hunfauls, being duly sworn, deposed and said: I am fore-
chain shop; we began to make tools for this business October
we commenced running about the 26th of November, 1867, and
with ten fires; the expense of fitting up the shop with all the
d machinery, as we now have it, has been over $5,000; I was run-
ty-five men up to the 1st of October, and I am now preparing to put
-five more to work; I could work fifty-five men with the present
d machinery; my salary is not included in the expenses; I have



$5 a day, and that up to 1st of March, 1868, should be charged to tools; I had about twenty-five men employed with me; on the 1st of December I began to make chains with ten men, and added one or two men each week, as I got the tools ready; I made up my account to the close of the fiscal year; from the time we commenced to make chains to the close of the fiscal year, the iron, coal, steam power and my salary for eight months, amounted to $13,659.32.

The audit to the contractor is	$10,667 84
Stock on hand is now worth	1,458 59
Chains on hand at close of year	2,469 43

I have not been enabled to manufacture at the best advantage; the men that I have had were fully employed, but not all the time; in many instances, we have had to wait for iron and we have had to stop; if the men had been fully employed, we could have made a better thing; the best workmen would be never likely to be out of employ; the men are classified and working on different sizes of chains, and they cannot be transferred from one size to another; when I am out of one size of iron, the men working on that size have to stop; some men after they had become experienced, were taken from me and sent to Clinton and other places; if I had rollers and other machinery to make our own iron, we would save at least $20 a ton, and we could make our iron so as to make chains of different sizes that would sell at a greater profit; if the foreman of a shop had the power of a keeper in the shop, the work could be carried on to greater advantage; we have bought iron from dealers and not from manufacturers, and have bought at a disadvantage, because we have had to buy in haste to put hands at work; I believe the making of chains will prove profitable, as compared with any thing the convicts can work at for the State; the following is a tabular statement of the labor of seven men employed in the manufacture of chains, with the size of iron, number of pounds worked, the value of the chain made, cost of iron, running expenses and net balance earned by each man:

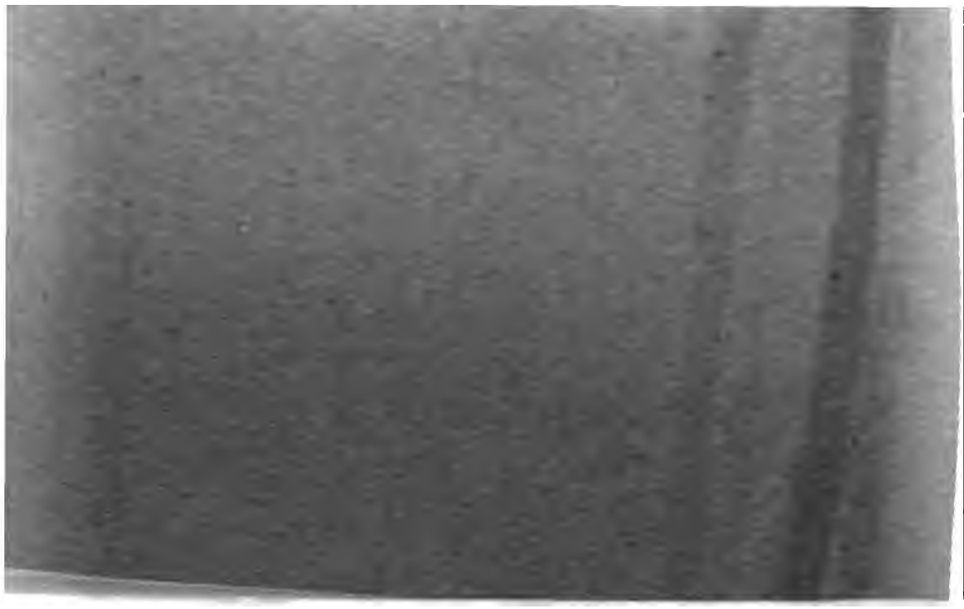
Size of chain.	No. lbs.	Worth.	Cost of iron.	Running expenses.	Labor.
5-16	25	$2 50	$1 31	$1 35	$ 84
⅜	37½	8 28	1 87	85	1 06
7-16	42	3 51	1 99	35	1 17
½	46	3 68	2 18	35	1 15
⅝	56	4 84	2 52	35	1 47
¾	100	7 75	4 50	35 2 men	2 90
Total	306½	$25 06	$14 37	$2 10	$8 59

If we should manufacture proof chain for shipping purposes, we should gain about one cent a pound; the cost would not exceed a quarter of a cent a pound; we pay $4 a day for steam power to auger company; the State must have an engine; a smaller one than this, costing only $1,000, would answer all purposes, unless we roll iron, and if we do, we should want one like this; this is worth, with iron roof and shafting connected with it (it is 125 lb. power), is worth at least $9,000; about $5,000 would cover all the additional cost for a rolling mill; we could furnish employment for every able-bodied convict, and a market could be had for all the chain made; it would require a superintendent of chain works.

SING SING PRISON, *Nov.* 7, 1868.

Walter Franklin, being duly sworn, deposed and said: I have been clerk of this prison four years in January; the contract with Mr. Walker for the quarry was first made March 1, 1867, for five years, for 100 men; I am not positive whether Walker had any thing to do with the quarries before; the contract was with A. Walker; the compensation was 50 cents per day; the contract was assigned to Westchester Marble and Lime Co., Dec. 15, 1866; the assignment is to Alfred Walker, W. J. Wixon, Emerson S. Walker, and James N. Walker, trustees of the company; all the papers bear date Dec. 15, 1866; the contract is dated 15th December, 1866, to take effect from March, 1867; no claim for damage has ever been filed by any one under the contract; damage has been claimed verbally, but not in writ-

December, 1866, A. Walker was working men on the quarry; I now
Ir. Walker had a contract for a year which expired March 1, 1867;
s the first of his working; E. S. and J. N. Walker are sons of A.
; J. N. Walker has been clerk for Wixon, and for the last month
a partner; Wixon is a grocer in Sing Sing; I don't know whether
been esteemed a man of means; some supplies for prison have been
ed of him; I think Wixon has done business as agent; the first
Walker worked was February, 1866; he had a contract for that
ntract was dated 15th January, 1866, and called for 100 men at 50
r day, for one year from date of contract; all the men were charged
nts a day; there were some half-pay men on that contract; the
of days' work at the end of the month reports full days; I think,
not positive, that the keeper regulates the time to be allowed for
n; I don't know whether there were able-bodied men at all times
on the contract; during the winter months the men could not be
much of the time; the work in the quarry cannot be carried on in
er; I think the original letting of the contracts was advertised; I
copy of the advertisement; advertisement bears date Sept. 11,
don't know that any apprentices were allowed on the work; but
days in January and February was work done by the men; after
er, 1866, Mr. Walker became in arrears in his payments, and at
of June last the balance against him was $7,597.96, of which
was for labor, the balance for merchandise; this whole amount
due; the sum does not include interest; I don't know who
the Westchester Marble and Lime Co., or any of the persons
d in it; I don't know that any person connected with the
connected with that company; Emerson S. Walker has been
d as foreman on the work since the State has had the quarries;
married man and was with his father; he was on the work before
e took it; I don't know the terms of sale to the State; I heard the
be paid was $125,000; that money, I presume, was to be paid to
ker; I heard it was on the minutes of the board of inspectors; the
are not in the book, and I dont know that any minute was made
e last meeting of the board entered in the minutes was held the
June, 1868; the minutes mention that the board met to take action
apter 612, of the Laws of 1868, as to quarries, but no action was had,
the minutes show; I was not present at the meeting; I keep the
ne minutes close abruptly, without entry of adjournment or any
t or report, and they are not signed by any person; other meet-
pear to be regularly adjourned and are signed by the inspectors
there was no secresy or reserve as to the price agreed to be paid
contract; there was no collateral or outside contract by which
or any other person was to renew the contract; I do not know
s to share directly or indirectly in the $125,000; I don't know and
reason to believe that any person other than Walker was to share
125,000, or that Walker or any other person gave, or agreed to give,
or indirectly, any thing as consideration to any other person; the
s for receipts and expenditures on the account of the quarries, since
e resumed, are kept in Walker's office by Peter Brown, employed
ker; he is on the pay-roll as a foreman; he has always been Mr.
's clerk; the last receipts were 31st of October, $211.90, and it is all
s received during the month from quarries; the monies received on
of the quarries came through Walker, and are paid periodically
daily; for September $14,572.40, were duly deposited October 15,
e received from Mr. Walker same day; lime and the produce of the
are sold readily and almost daily; I account for the small receipts
ber, on the ground that the account was not adjusted; I don't think
t sees to the sale of the property or the collection of the monies; I
ink the agent knows any thing about the business, except what
tells him, and what he learns from his accounts; the same men
e employed by Walker as clerk, foreman, etc., are employed now
State; all the monies which have come to the hands of the agent
n deposited; the State has put up one kiln, and they are now dig-
foundation for a second one; the convicts are doing the work;
otember 11 to September 30, as appears by Mr. Walker's book kept
there were 246 men employed in the quarry, of whom, as rated by



Mr. Walker, 115 were "producing men," which means producing directly saleable products; 44 are excavators, that is, at work excavating and clearing away rubbish, and 87 were invalids; the whole number of days' work credited is 2,760; ten keepers are employed in the quarries; it requires good men to work in the quarries; they wear out about double the clothing they do in the prison; it requires able-bodied men; I have no means of testing the number of men employed during July and August, and to 11th of September; no records were kept in the office; I think Sands & Co. paid promptly; Emerson S. Walker is secretary of the Westchester Marble and Lime Co.; the contract for printing was with Joseph B. Swain and Francis B. Fisher; it was dated 31st of March, 1868, to run for one year from 1st of April, 1868, and called for 75 convicts, at sixty cents a day, and required that all the printers in this and the other State prisons should be put on it; the handwriting of the contract is that of a convict in the office; his name is John A. Carter; I don't know in whose handwriting is the interlineation of "existing" before law, preceded by "any," on sixth page; it looks as if it was all one handwriting; I think the word was first written in pencil and afterwards inked over; the interlineation is not noted on the contract anywhere; a new copy of the contract was made; this is the only copy in the office; the letting of the contract was not advertised nor any notice given of it; Swain & Fisher had a duplicate of the contract; the board of inspectors authorized it at its meeting 29th of February, 1868, under chapter 399, section 12, of the laws of 1860:

In April thirty men worked	476	days.
In May twenty-five men worked	642	"
In June twenty-two men worked	174	"

The earnings for April were $285.60, paid May 31, 1868.
The earnings for May were $385.20, paid June 30.
The earnings for June were $104.40, paid July 31.

I don't think we had twenty men certified to be printers; there may have been as many; for the fiscal year ending October 1, 1868, we had seven convicts who were printers; the year before we had twenty-eight; I have the contract with Peter Hayden, dated July, 1868; that contains a similar claim as to abrogation by law without the word "existing;" on the 3d of April, two men were employed; on the 4th, eight men were employed; Joseph B. Swain continued the printing business from July 1 to July 21, employing nine men 153 days, at sixty cents; the work came to $91.80; that has not been paid; I don't know why it has not been paid; the inspectors have not, to my knowledge, taken any action towards defending the State against the claim of Fisher & Swain; the commission held a session here; I was not a witness; they examined Mr. Forest; Mr. Forest appeared for the State without counsel; inspectors were not present; Mr. Christie appeared with Swain and Fisher, and as their counsel; there is now due the prison up to September 30, 1868, on contracts, as follows:

Auger contract (S. G. Howe & Co.)	$13,069	59
Quarry contract (Walker)	7,597	96
Whip contract (Bohler & Phinney)	3,760	50
Cabinet contract (C. H. Woodruff)	1,858	66
File contract (L. H. Miller)	987	16
Hame contract (J. J. Lewis)	637	00
J. B. Swain, for labor	91	80

There is due for support:

United States convicts	$1,560	12
Military convicts	759	45

The contract for augers is dated Dec. 1, 1862, with James Howe & Co., for five years from 1st April, 1863, for 100 men at 40 cents a day; the contract has never been renewed; S. G. Howe & Co. have been regarded as the contractors since I have been here; the work on augers ceased, I think, on 1st October; the same parties worked the men, after the expiration of the contract, as before, at the rate of 50 cents a day; the labor of the convicts was not advertised; the account was always kept by S. G. Howe & Co.; they paid whatever was paid; on the 30th October, 254 men were employed in quarry, and 188 were unemployed; to-day there are 188 unemployed, 254 in quarry, 1,262 in prison.



red Walker, re-examined: I have 254 men to-day at work in quarry; as the limit in October; for one or two days we had 209; the average 40 to 245; I rate the men and classify them; I generally get the rate the keepers; no men are doing any thing in quarry that are not in- d in this statement; the men employed in taking down building and ıg the stone for kilns are not counted; we do our own repairing; I ɔt estimate the monthly cost of tools; we buy every thing for the ·y separately; we have done work for the State this month amount- o over $200; this includes lime and stone; all the money has been to the agent and warden that I have received from the products of uarry; there is now $8,000 due for the sales of October, which will be this month; "unavailable debts" is the charge against the State; lf, Mr. Sands, and my two sons composed the Westchester Marble ɹime Co.; Mr. Sands has no interest now; he had up to some time in last; Mr. Wixon has never had any interest in it; I am now the sole r, and have been since some time in June; up till that time Mr. s has been an equal owner with me; there is no contract as to time yment of the $125,000; the inspectors gave me, in July, a draft for 00 on the Comptroller, at sight, which I have not presented; the is in the bank, pledged for money; I did not present it, because I ed the Comptroller to be satisfied with the transaction; the inspectors ɔd me if he did not pay they would give me the contract back with e improvements; there was but one contract in writing between us; did not provide for a reversion of the contract; it is absolute on its it was a simple verbal understanding at the time between all the in- ɔrs and myself; no memorandum was made of it to my knowledge; ɜ made in this room; I don't recollect whether Forrest or any other n was present; I have a copy of the contract in my office; I am posi- here was no written contract about my taking the contract back; the ɔtroller said in a letter that whatever was agreed to be paid could not id until an appropriation was made; that letter was from himself to ıspectors, and I saw it before the bargain for buying back the contract nade; that was the letter in which the Comptroller consented that nspectors might negotiate; I read the whole of it; there was an ment or understanding that if I was not paid by a given day I might ıe the work; the inspectors gave it as their opinion that the draft ɨ not be paid; it was not presented because I thought it would not be one-half the men, on an average, are employed in excavating and ing away debris and rubbish; this work will be less another year; I into company with Sands & Son a year ago last March; Sands & Son equal owners in the original five years contract; at length I pur- d their interest; this was in June last, before I sold to the State; I $11,500 for their equal interest in the property and contract; then s & Son relinquished their interest in the contract; the first part of ime in the year I could not work the whole number of men; I had ɔck room, and I had no tools; there was no time when the demand ot exceed my supply of stone.

lliam Sands was sworn, and deposed as follows: I have been engaged ırning lime at the State Prison in Sing Sing for eight or ten years, h terminated in July, 1868; on the 1st of March, 1867, my son and I ɔd a partnership with Mr. Alfred Walker, under the name of the chester Marble Co.; the nominal capital of said company was $50,000, h was contributed by the partners jointly in tools, machinery, lime , railway, etc., etc., including the patent right for the lime kilns, h is an invention of my brother and myself; the company took a ·act from the State, having five years to run, for one hundred prison- vith the right to quarry stone on any part of the premises belonging e State about the prison; in July, 1868, my son and I sold our interest, h was one-half, in the Westchester Marble Co. to Mr. Alfred Walker he sum of $11,500, which sale included one-half of all the tools, res, machinery, railway, and letters patent for the lime kilns; also, good will of the contract for the balance of the term of five years, ıg about two years and eight months to run; taking all things into ınt, I think we got a fair price for our share of the property; I think ıusiness may be made fairly profitable, provided the contractor should ɔe disturbed by the legislature; I had some fears that the legislature

would annul the contract, or interfere with it in some other way which would be likely to make the business unprofitable; I, therefore, concluded it would be better for me to dispose of my interest now than to remain in the business and take the chances of failure or success.

[Abstract of Mr. Walker's inventory, dated June 27, 1868, but not furnished to the committee till February, 1869.]

Quarry tools,	$2,358 90
Blacksmith's tools,	669 74
Stonecutter's tools,	873 70
Carpenter's tools,	375 55
Cooper's tools,	486 00
Lime kiln tools,	339 00
Miscellaneous tools,	244 75
Wagons and carts,	1,020 00
Horses and oxen,	1,750 00
Machinery,	3,100 00
Office building and furniture,	1,500 00
Four railroad dumping cars,	1,000 00
Two lime kilns,	4,400 00
Lime house and cooper shop,	5,650 00
Lime sheds,	400 00
Barn and stables,	350 00
Spiling, planking and repairing dock,	2,700 00
Filling in, spiling and grading for lime house,	1,000 00
Trussel work on railroad,	3,300 00
Grading and excavating to south quarry,	1,600 00
" " west "	2,500 00
Railroad iron, ties, turnouts, spikes, etc.,	3,700 00
Exclusive use of Sands' patent lime kiln for Westchester county,	5,000 00
Good will and trade mark of Westchester Marble and Lime Co.,	5,000 00
	$51,315 73

Memorandum.

The hame contract includes a clause as to the law prohibiting work without the word "existing," and provides for subsequent legislation. So do the hat, cabinet, saddlery, malleable iron, and shoe contracts. Also the female contract.

Charles Hartford, sworn: I have been keeper in the prison nearly fifteen years; most of the time I have had charge of the men in the quarry; when I first began, Nelson had the contract; he got out limestone, fluxings, sand, and cut stone; he ran it a little over a year after I went into the quarry; I think he had a contract for five years; he put up considerable machinery for sawing; I know nothing of the value or the power of the machinery; he had eight or ten run of saws and a steam engine; he ran a rail track up into the quarry; he gave up his contract; the State then worked it; the stone was unsound; State never made lime; Nelson got out limestone for Sands; I think there is good stone in the quarry, and we are now getting out the best stone we ever got out; we worked up about all the stone, except the iron stone; the State furnished Sands with limestone for about twelve years, I should think; I worked from forty to sixty men when the State was working the quarry; I had no citizens with me to instruct the men; I always acted as foreman and keeper both; by putting up proper sheds we could work most of the time; it is a very healthy business; men require more clothing when at work in the quarry; no more danger than in ordinary business; I allude to the blasting; it is heavy work and requires healthy men; about two-thirds of the men now employed are able-bodied men; the men require more food; they are more hearty; stone in quarry is worth ten to twelve cents a ton.

Peter Pryne, M. D., being duly sworn, deposed and said: Have been connected with this prison seven years as physician.

Q. From your observation during that period, would you say that the prominent object in the administration has been to make the prison self-sustaining, or to reform the prisoners, so that on their discharge they may return to society upright, industrious and useful citizens? A. I think the object in view has been mixed, partly one and partly the other; as regards

former the endeavor has failed signally; as regards the latter, the fail-
has been equally great, if not greater; nor do I think that, under
present system, the prison can be made really reformatory; and I will
the same as regards the other point; it can no more be made self-
orting than reformatory.
What are the punishments in use? A. The punishments in use now
he shower-bath, dark cell and iron cap; these are the only punish-
s which, according to my recollection, have been employed for the
wo or three years.
Are you always present when the shower-bath is used? A. I think
, as a general thing; there may be cases when I am not.
About how often are you called upon to witness punishment? A.
cases in which this punishment has been inflicted, as far as my
ledge extends, have been less frequent during the past year than at
revious year during my connection with the prison.
Will you describe the punishment of the shower bath? A. When
risoner is brought in he is, first, entirely stripped of his clothing; he
n placed in the machine called the bath, with feet and hands securely
ed, and his head closely confined in a sort of square wooden bowl or
ot entirely water tight, but yet sufficiently so to allow the water to
up about his chin.
What is your judgment of the shower bath as a punishment? A. I
the punishment objectionable on many accounts; it is objectionable
se we do not know beforehand who is able to bear it and who is not;
n unequal punishment—to one man it is perfect torture, another
are scarcely any thing about it; unequal as it is, however, it is, I
, less objectionable than the dark cell; the reason I think so is, that
ing over and over the impure air resulting from the emanations
heir own bodies, is more detrimental to their health than the other;
ie, the shower bath is not injurious at all; but the foul air inhaled by
shut up in the dungeon is injurious, to a greater or less extent, to all.
thew Benson re-examined: Have been connected with the prison
May, 1860, a little more than eight years; I served about six months
rd; I was then appointed keeper, and served in that capacity about
ears, when I was made yard keeper, and continued in that position
ie year ago, when I was made principal keeper, and hold that place
present time; from my observations during the period that I have
connected with the prison, I should say that more thought, effort
nxiety have been experienced by the authorities to make the prison
s way, and come as near to self-support as possible; that, in my
has been the leading object of the administration; the reformation
convicts has not been overlooked, but it has been made—so, at least,
appeared to me—subordinate to the other; the great mass of the
ts leave the prison, as I conceive, no better than they came in; a
believe, are reformed while here; in respect to reformation, I con-
he prison, on the whole, a failure; I think the prison would be much
, and might be more successfully administered as regards discipline,
nation and finance, if it were divided so as to make three instead of
the shower bath, dark cell and iron cap are the only punishments
n use here; the iron cap is most frequently used, as all the keepers
the power to administer it; it is employed mostly for talking or
pting to talk in violation of the prison rules, and generally for minor
es; all cases of its infliction are recorded on the punishment book,
t where it is continued for a very short time, say an hour or two; if
n that time the man expresses penitence and promises obedience, no
is made, to the end that he may not lose any thing from his com-
ion; next in frequency is the dark cell; as a general thing, this
hment does not last more than one day and night; some times pris-
are kept in for a week or ten days, and even longer, according to the
e committed and state of mind manifested during their confinement;
ave a ration of bread and water only, and no beds, but the floors of
lls are covered with dry sawdust, and in cold weather they are
d a blanket, or in case of necessity, more; the punishment of the
r bath, I think, would not average more than once a week; the
is not always present when men are showered, but this is generally
se; the shower bath is a punishment I do not approve, and if I had



he power I would certainly abolish it; I have no hesitation in expressing he opinion that no prison punishments are proper, or ought to be toler-ted, which are in themselves so dangerous as to require the presence of a hysician during their administration.

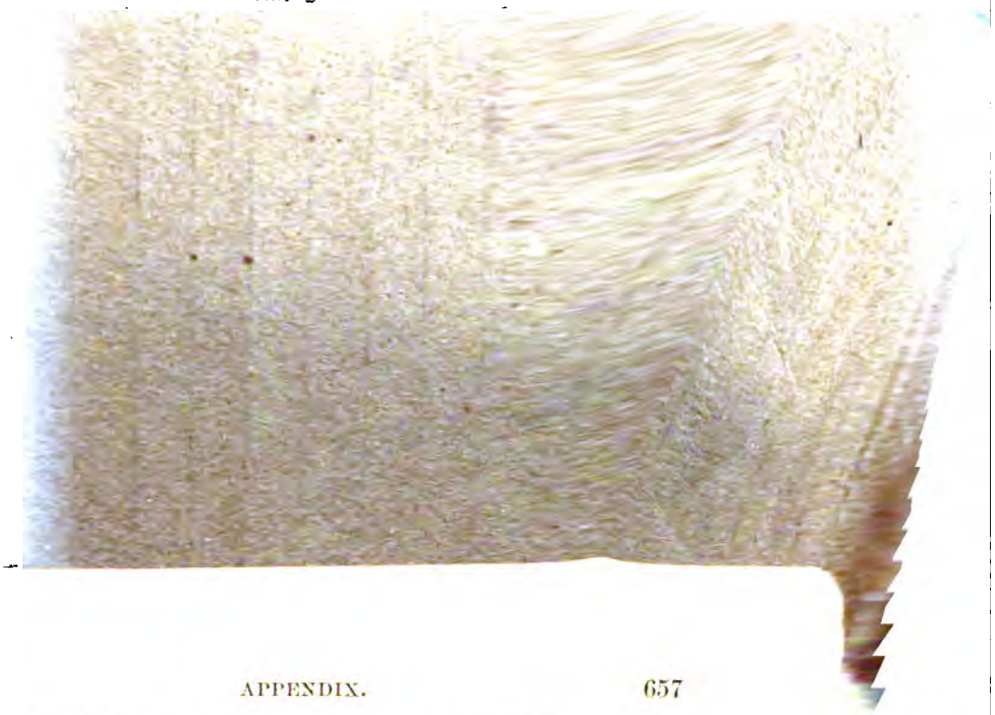
Rev. J. B. Smith sworn: Have been connected with the prison as chap-ain nearly three years; from my observation during that period, I should ay that the institution is managed by the authorities almost wholly as a usiness concern; the reformation of the convicts is not made a prominent nd leading object; this I look upon as the most important thing to be imed at in this and all other penal institutions, without, of course, ignor-ng the fact that the punishment of transgressors is essential to the main-enance of law and justice. Punishment, however, avails little, as far as he safety of society is concerned, unless the subject of it is thereby re-ormed, so that, on his discharge, he may go back an honest, industrious nd useful citizen; I think that genuine and permanent reformation is ffected in quite a number of the prisoners here, through the moral and eligious influences brought to bear upon them, but considered as a school f reformation, the success is far less than it ought to be and might be nder a proper penitentiary system; my impression, from all that I have een, is that, under proper moral and religious appliances, a large propor-on of the men received here might be reformed, as they generally seem usceptible to good impressions.

January 16, 1869.

Alfred Locke, being duly sworn, deposed and said: I reside at Sing ing; have been a keeper in the State prison there; was appointed in larch, 1865, and served two years and one month; was a keeper in the oe shop during my whole term of service, except the first month; I was emoved from office by the inspectors in April, 1867, but was kept on duty ree weeks after my discharge; the entire board belonged to the same olitical party as myself; it is not usual for the board to turn their political iends out of office; the president of the board, Mr. Forrest, became pre-udiced against me, and I was removed by his order; the cause of his issatisfaction was this: there was a convict in the prison who had been ntenced for one year for stealing United States bonds; he had surrendered e bonds on his arrest, which I take to be the cause of the mild sentence iven him; while he was in prison a reward of $5,000 was offered through e newspapers for the discovery and return of a lot of United States onds that had been stolen, amounting to $45,000; this convict, having, in me way unknown to me, become aware of this fact, claimed to know here these advertised bonds were secreted; Forrest and Franklin — the tter was clerk of the prison — having learned that he so claimed, often nt for him out of the shop to talk the matter over with him; sometimes e would stay away two or three hours, and once or twice nearly the hole afternoon; this continued almost daily for about three weeks, I ould think; at length I inquired why he was losing so much time from is work; he said that Mr. Forrest kept sending for him to ascertain out those bonds, promising, if he could find them and allow him to ave the reward, that he would obtain a pardon for him, he having at at time about three months still to serve in prison; he further said that is pardon was to come in three or four days; in the course of that time ey sent for him again, and he came back to the shop saying that they d received his pardon, and at one o'clock was to be dressed in citizen's othes; at one, accordingly, he was so dressed, taken out, and put in the spital; about eight o'clock the same evening Mr. Franklin, the clerk, d Mr. Leighthall, keeper in the jobbing shop, came to the hospital, took e convict, and went with him to New York; they returned to Sing Sing ext night about twelve (midnight) or a little after, bringing the convict ith them; Mr. Leighthall informed me that they met Mr. Forrest in ew York, and the whole party went together to Connecticut, and there g for the missing bonds in a place pointed out by the convict; it was ar a barn, which the man alleged had been so shifted and changed that was not able to find the exact spot where the bonds were buried; the an himself, on his return, claimed that the reason why he had not found m was that he had ascertained that they had not got his pardon, but id they assured him they would get it in six or eight days if he would

he bonds and deliver them into their hands so that they could get
eward; about a week after this the man was sent for again, and re-
ed out of the shop some two or three hours; on his return I asked
what in the world kept him away so long; the contractors were find-
ault because of his frequent and long absences from work; he said
udge Johnson, agent and warden, and Detective Murray had pro-
to get his pardon for him within a week if he would procure the
for them so that they could get the $5,000 reward, which he had
l to do; in a week or ten days they sent for him again; when he re-
l the prisoners were in the mess room at dinner; he came to the
nd beckoned me to come to him; he said they had got his pardon,
e had seen it, and that Murray had given him a ten dollar bill to get
ra suit of clothes at the State shop, which he pulled out of his pocket
owed me. [The witness here explained that it is customary in the
, on the discharge of a convict, to present him with a suit of clothes.
s obtained in what is called the State shop. The keeper of the shop
convict under him have charge of this business. If a convict has
, by paying ten, fifteen or twenty dollars extra he can obtain a good
ut if he is poor, he has to take up with whatever is given him—
lly a very inferior article. Not a dollar of this extra money is ever
nto the treasury of the State. It once happened, to his knowledge,
convict who had held this position for five to seven years had accu-
ed from twelve to fifteen hundred dollars. It is presumable that the
shares in the profits thus accruing, and that the State is thereby a
o the amount of many hundred dollars a year. If the keeper does
ow that the convict lays this tax upon the prisoners, he is not fit for
ce, and if he does know it, it is not to be supposed that he permits
se of this kind without a share of the plunder.] At one o'clock,
Mr. Babcock, the hall keeper, who always attends to that duty,
with his pardon and took him from my shop; on the former occa-
f his being taken out, Mr. Franklin took him away; Mr. F. told me
e on the book against his name "absent;" I replied that I could not
for that by the rules it was necessary to state where he had gone;
ranklin then took him out, and no record was made of his absence,
e could be made without a violation of the regulations; no bonds
ver recovered through the agency of this man, and, of course, no
l was obtained; my belief is that the whole thing was a scheme of
nvict to secure a discharge before the expiration of his sentence; in
was so stated by the papers at the time, and the statement was
that he had beaten all the parties to his pardon, as he had on a for-
ccasion beaten other parties equally shrewd; soon after this man's
rge an attempt was made by Mr. Forrest to get me removed, alleging
use my complicity with the escape of a certain convict; no proof
s could be had, and the attempt then failed; Mr. F. would never
with me after this transaction, and at length when he became presi-
f the board he discharged me on his individual responsibility; on
mplaining to Gen. Hammond, a member of the board, he said there
l be an investigation of the case, and told me to meet the board at
ffice; I did so, when, in response to a proposition by Gen. H. for an
igation, Mr. Forrest peremptorily refused, saying to me, "Mr. Locke,
n't have an investigation; when we remove officers we remove them
mething;" Gen. Hammond immediately took his hat and left the
I said to Mr. Forrest, "I suppose that there is no use in my re-
ng;" he replied, "We expect officers to keep their mouths shut
they are here;" I don't know to what he referred, unless it was to
I had told in reference to this convict being let out; I have always
sed the reference was to that, and that there was no other cause for
moval; I was discharged early in April, 1867, and, as I have already
, remained in charge of the shop for about three weeks after I had
l to be an officer; it was the last of April or first of May before I
l from the prison; in the course of two or three weeks from the time
Mr. Hapgood, superintendent of the shoe shop under the contract-
me to me and inquired if I would like to come back; I replied that
ld, as I had a family to support, and had not been able to lay any
by except my last month's salary; Mr. Hapgood said, "Mr. Locke,
y will get you back;" I asked him how much, and he replied, "One

hundred dollars will put you back there in eight or nine days;" I asked him how he knew, and he said, "I speak on the best authority and know what I say; will you give the sum required?" I said, "No, I will not;" Mr. Hapgood then said, "Mr. Locke, you come back and go into that shop, and I will pay the money; it shan't cost you a cent;" I told him that that would place me in an unfavorable position, laying me under pecuniary obligations and destroying my independence, and I could not accept the offer; he then said, "You need not say any thing about this unless some necessity arises for it, and if that is the case, you can tell the facts as they are, and I can show just how the matter is;" I have no knowledge to whom the money asked for my restoration was to be paid, nor would it be easy to fasten the proposition for such payment upon any one by legal proof, owing to the machinery through which such transactions are conducted; in the clerk's office, and in each of the shops, there is what is called a privileged convict—one who holds confidential relations with the contractors; he has the title of bookkeeper; through this class of convicts negotiations of the most private character can be carried on to any extent without the possibility of detection, since a convict is unable to give testimony, and his word is accounted in law as worthless; it has been a common rumor for the last year or two, and is generally believed, that persons appointed to office in the prison have to pay for their places; I know positively of two who have done so—that is, if their own statements are to be regarded as trustworthy; one of them told me that he agreed with a citizen of Sing Sing to pay $100 for the position of keeper, or $50 for that of guard; he got the latter and paid the $50, but was discharged a few months afterwards by Gen. Barnum, because, as he alleged, he would not pay an additional $50; another man, who was from Schenectady, told me that his brother-in-law paid $50 to get him appointed as guard; the class of convicts whom I have described as "privileged" often have great favor shown to them; this was the case with Kohnstamm, a United States convict, sentenced to a long term of imprisonment for a series of gross frauds upon the government; he remained in prison for nearly four years, when he was pardoned out by the President; great partiality was shown him during his imprisonment; he was allowed to have any thing he desired in the way of food and drink brought to him; his wife boarded in Sing Sing village; he was permitted on various occasions to visit and spend considerable time with his wife unattended by an officer, and when his wife visited him in prison they were allowed to occupy a private room with the door locked, remaining together sometimes two or three hours; Mrs. K. gave birth to two children during his incarceration; during the latter part of his imprisonment, I should say for about a year and a half, he bought his own time from the authorities for, as was understood, thirty-five or forty cents a day, and was provided with a comfortable room on the prison premises, where he kept what I should call a sort of grocery; at any rate, it was abundantly supplied with wines and other liquors, the choicest cigars, sugars, tea, coffee, oranges, lemons, figs, etc., etc.; he had a small cook stove in his room; I have no knowledge of his selling these articles, but I know that he gave them away freely to both officers and convicts; he often offered me liquor and cigars, but I always declined; in fact, I never use either; he kept his goods locked up in large cupboards, and on shelves with doors to them; I have never known any other prisoner to have privileges accorded to him equal to those granted to Kohnstamm, but partiality, to a greater or less extent, is shown to all of that class of convicts known as "privileged;" Mr. Ketchum provides his own food, and has it cooked in the office of the contractors (shoe contract) for whom he acts as bookkeeper; but, though a convict, he has all the elements of a man, and his kindness to prisoners who are sick or in any kind of trouble knows no bounds; the common talk in the prison and the general belief is that convicts who have money, or can control it, may procure easy positions; the impression is very general that a refuge in the hospital has long been of easy attainment; I cannot attest this of my own knowledge, but I have been told by convicts in whom I had confidence that they had in this way secured more desirable positions; one said that he had procured a place in the hospital as a patient by paying $20; another, that he had had a place promised there for $25, which he paid, and the place was then refused him unless he would pay $20 more;



paid $100 for the place of hall boy, which he never got, because the
who had promised it to him ran away; I have myself seen many
a which convicts with money at their command have been let off
unishment, or otherwise favored, when those destitute of this re-
would have received very different treatment; to give an instance:
, or at least was, when I was keeper, a room in the hospital to which
s alone have access, which they keep locked up, and into which
are not admitted; one Sunday a keeper missed two men out of the
l; he went to this room and heard some noise there; finding the
·ked he burst it open; one of the men had dug through the roof and
y; the other immediately threatened the keeper's life with a knife,
uld have killed him if he had not promised to be easy on him;
t off, he went and reported the man, who was thereupon taken to
k cell, but released before midnight, liquor having in the meantime
nt to him from the hospital; this man had large means at his com-
I have observed that men attempting to escape, when caught, if
ve no money, are often mauled and pounded in a shameful man-
t if they have means to buy a different kind of treatment it is
d to them, frequently to the extent of exemption from all punish-
I was knowing to the fact that in one shop the contractors paid
nonth to the keeper to secure greater vigilance and activity on his
the promotion of their interests; I was once offered that amount
if I would leave the shop where I was and go to another; I have
son to suspect that money was paid to other keepers for the same
, but cannot swear to it of my own knowledge; it is currently
d and believed that convicts with money often buy from their
and foremen the privilege of making light work, the keeper's
as to the work done by each convict being final and decisive; I
swear to this, but have often seen things that looked like it; for
e, I have known healthy, athletic men, who were fully able to do
dest work required, let off and reported as doing full work when
ly performed tasks which might have been performed by men of
ible physical powers; great spoliations are committed both on con-
and the State by convicts who steal for officers; I have myself
three several times a number of pairs of soles taken by a keeper
convict through the door of his cell, and I have seen, at another
urteen pairs of these soles, of the best kind of leather, taken from
l of the same convict; the officer for whom this stealing was done
charged some six months ago, whether for this reason or not I
now, but was told that he carried on such a tremendous stroke of
s of this kind that he could no longer be borne; while I was keeper
of six large chests filled with saws, chisels, door trimmings, cloth-
pans, hammers, and other articles of hardware, etc., etc., taken
e jobbing and State shop, and therefore all property of the State;
e boxes were directed to "James Leighthall, Schenectady, N. Y.;"
left the prison, my residence being near the depot, I have seen
other boxes, with the same directions, forwarded by rail; Mr.
nall was keeper of the jobbing shop during my whole term of ser-
d is so still; I have understood, though I do not know, that he is
o become a contractor in the prison; as regards reformation in the
there is nothing of it; it is my conviction, and others who have
portunity to observe, concur in this conviction, that the great major-
he convicts committed to Sing Sing—I have sometimes thought
t of every ten—leave the prison morally worse than they came in;
ncipal cause of this deterioration I take to be the conduct and ex-
of the officers themselves; I feel very confident that more than
rds of the officers of the prison, when I was there, would swear,
o intoxication, gamble, and do other things not fit to be named; I
nown a keeper who was drunk in prison five days in the week, fre-
· to such a degree that if he undertook to sit down he would be as
o come to the floor as to a seat, and he had a very responsible posi-
ing keeper in the hospital; such habits as those named above,
o the practice before noted of getting convicts to steal for them, and
hings on the part of the officers, exert a most demoralizing and
ing effect on the convicts, and effectually neutralize any good in-
s that may exist in the prison; one of the best officers I ever knew

at Sing Sing, now deceased, once said to me, "Locke, I believe that Sing Sing would sink under the wrath of the Almighty if it were not for the virtue still left in the convicts;" I was a butcher in Watertown before I became keeper at Sing Sing, and am well acquainted with all branches of the business; four months ago I had a conversation with Mr. Miller, keeper of the store room, having understood that the prison was supplied with beef by the carcass at ten cents a pound; I asked him if he thought I could make an arrangement with Mr. Forrest to supply as good a quality of beef for the prison till January at eight cents; he replied that he had no doubt I could, as it would save a large sum to the prison; accordingly I went to Mr. Forrest, and made the proposition to him to furnish beef on the terms named to Mr. Miller; he declined the proposal, saying that he was getting the beef from another party, and it wasn't worth while to bother about making a change; I had made a close calculation before making the offer, and was satisfied that I could clear $200 on every car load of cattle; a car load would be needed for the prison about every nine days.

CLINTON PRISON, *September*, 1868.

[Testimony of *Mr. E. W. Pierce*, clerk in the manufacturing department at Clinton Prison.]

The following is a list and explanation of the accounts and books kept in my department, together with the estimates required by law to be supplied:

FIRST — ACCOUNTS.

I. *Estimate No.* 1 — Contains the names of the employés, the amount to be paid, and the nature of service. This estimate might be condensed as follows: Amount to be paid employés. It is unnecessary to report to the State officers any thing more than the amount of money required for service.

II. *Estimate No.* 2. — This contains the number of cords of wood wanted in ore kiln, rolling mill, coal kiln, coal manufactory in kiln, and coal manufactory under dirt, with prices of each, and other stock used in manufacturing. It would be enough to estimate simply for "stock used in manufacturing."

III. *The Account Current.* — This contains, (*a*) cash on hand, (*b*) amount received from Comptroller as per estimate, (*c*) items received from miscellaneous sources, such as nails, iron, ore, shop work, *e. g.*, repairs of wagons, etc., for citizens.

In this item of cash received for sales the name is given, dates, amount, and on what account the cash was received. On the adverse side is the amount deposited to the State Treasurer's account, the amount disbursed, referring to the "Abstract of Vouchers" (No. V. below) in general terms, and the amount of cash on hand.

IV. *Abstract of Accounts.* — The first sheet is a copy of the "Account Current," No. III. Copies of vouchers follow in detail, giving items, prices, and the amounts of each purchase. In long accounts, a detailed statement is not always given, but the result is sometimes copied.

V. *Abstract of Vouchers.* — This shows the expenditure in detail, giving the number of the voucher, name of each person who received money, and the amount of payment to each person. It also gives the amount expended, classified under the various headings as found in the "Account Current," No. III.

VI. *Abstract of Cash Receipts and Expenditures.* — On one side this is the same as the "Account Current." On the expenditure side it is the same as the "Abstract of Vouchers."

I do not think that this account is necessary, as it is but a repetition in another form of the former accounts.

VII. *A Weekly Report of Deposits.* — This contains the amount of money received weekly and deposited weekly, with the receipt of the bank cashier.

SECOND — BOOKS.

I. *Record of Vouchers.* — This book contains an exact copy of the vouchers for the month. Each copy is numbered to correspond with the original.

II. *Cash Receipt Book.* — This is the summing up for the year of the monthly accounts current, distinguishing the amounts received from mis-



aneous sources from that received from the Comptroller. It also shows expenditures as well as the deposits to the credit of the Comptroller.

I. *Day Book.*—This contains an itemized account of sales exclusively olliers, wood jobbers and miners in the employ of the State. All the s are on credit. This practice is required owing to the necessity of chers. This special class of men are well protected by this system, their earnings more certainly devoted to the support of their families.

. Journal.—This contains a transfer of the Day Book of the prison; , sales of prison manufactures. The vouchers are entered on the jour- monthly, and sent to the Comptroller. The journal shows the business ne month.

. *The Ledger*—Consists of entries from the Journal.

I. *Memorandum Cash Book.*

II. *Bank Account Book.*—The credit side gives drafts drawn by the surer to our credit. On the other side is a statement of the checks n against the credit.

III. *Manufacturers' Books.*

Coal Books.—There are two books of this class. 1. *Coal Receipt* . This gives the number of receipt, by whom the coal is delivered, by whom drawn. 2. *Book of Coal Accounts.* This gives the number ne load, name of the person by whom it is delivered, the name of the n by whom drawn, the date, and the number of bushels. From this the vouchers are made up monthly. This is a daily mode of making result to be reported monthly.

Nail Books.—1. *Nail Receipt Book.* This is of the same nature as Book No. 1. 2. *Nail Book proper.* This shows the manufacture of daily. The foreman reports the number of nails cut daily by sizes, he book is made up daily, monthly and yearly. The other side of the nt shows the number of kegs sent by loads daily, monthly and yearly.

il Order Book. This is a book of orders on the dock agent at Platts- h to fill invoices of goods sold. This is kept with stubs containing acts of orders. The order is retained by the dock agent as a voucher.

il Book of Shipment. Showing the number of kegs of nails shipped ck agent, date of shipment, and the person to whom it is made.

Book of Wood Purchases.—This contains the name of the party from n the purchase is made, the date of measurement, the number of , the kind of wood, and the price as reported by a wood measurer rintendent of the yard) employed by the prison.

Time Book, kept by superintendent of the yard.—This shows the name ploy6, time of work, and price of service. This is extended by the clerk.

Time Book of Team Work.—This is kept for the purpose of showing rofitableness of the work, and the amount done.

Ore Books.—1. *Ore Receipt Book.* Showing sales by loads. 2. *Ore* . This contains a daily and monthly account of the ore raised which o the forge, and not of that which is sold.

Receipt Book.—This contains receipts and stubs for daily purchase rchandise other than wood and coal.

Inventory.—This contains a detailed statement of real estate, ma- ry, stock and materials of all kinds, with their estimated value. estimation is made by two sworn appraisers, appointed by the board pervisors. The appraisal is made on the best information obtainable. this inventory the annual report is made to the inspectors.

ould suggest the following changes in this system: The "Abstract of nts" may be omitted. Estimates Nos. 1 and 2 may be condensed. is not necessary to have a separate voucher from every officer on the oll. Each man might sign his name, and there might be an affidavit the warden and clerk of the amount of payment, and that the ser- were needed. The mode of keeping vouchers for minor purchases t in like manner be simplified.

present affidavit is annoying, and a hindrance to business, and is so ial that most men do not comply with it, and special attention is red to cause it to be carried out.

weekly report is unnecessary in my judgment.

affidavit should at all events be modified. The receiptor is obliged ear that he received pay in cash, when in many cases the affidavit is terally true, as he is paid in goods.

[Testimony of *John C. Lewis.*]

I am clerk of the prison. I have nothing to do with the manufacturing department, which is kept entirely distinct.

There are twelve estimates and other statements made by the prison proper. Those of the prison and manufacturing department run into each other in some instances.

I think that the estimates might be much simplified. I see no necessity of mentioning the names of persons to whom payment is to be made. It is enough to say that a certain amount of money is needed for salaries of officers, food, materials to be used in jobbing shop, printing and stationery, etc., etc.

ACCOUNTS KEPT IN PRISON DEPARTMENT.

I. *Abstract of Account.* — This contains, on the first sheet, a copy of the Account Current and the Expenditures, arranged in accordance with the headings in the estimates.

I do not think this account necessary.

II. *The Account Current.* — This contains (1) cash on hand, (2) amount received from Comptroller as per estimate, (3) items received from miscellaneous sources, such as from visitors, convicts, deposits, shop work, etc. The adverse side show deposits for Treasurer's account, and disbursements under their appropriate heads.

III. *Abstract of Vouchers.* — This shows the expenditure in detail, much as in the manufacturing department.

IV. *Abstract of Cash Receipts and Expenditures.* — Same as in manufacturing department.

V. *A Weekly Report* — As in the manufacturing department. This report causes great annoyance at this prison, as there is no bank nearer than Plattsburgh.

BOOKS.

I. *Journal or Record of Vouchers.* — This contains a copy of vouchers in full in the same manner as in the manufacturing department.

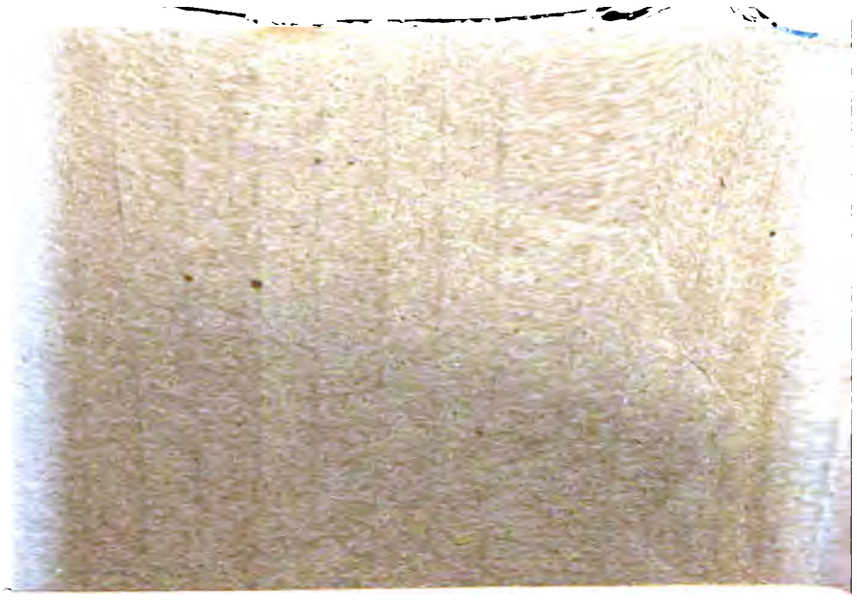
II. *Cash Book.* — In this charges and credits are entered to the account of the agent and warden.

[Statement of *John Parkhurst.*]

I am agent and warden of Clinton prison; there are 211 acres of land in the prison farm; about 30 acres are within the prison stockade; the State owns, in all, fourteen thousand seven hundred and five (14,705) acres; a large portion of this land is heavily timbered; it is worth, on the average, $8 per acre; the last purchase is worth $15 an acre, though bought at $7; before the improvements made by the State it was worth only $3 per acre; Gerrit Smith sold some land in the vicinity three years ago at $2 per acre; the consumption of wood per year is about 32,000 cords.

November 19, 1868.

Rev. Jos. A. Canfield, being duly sworn, deposed and said: Have been connected with the prison as chaplain a little over five years; the leading object of penal institutions should be, as I conceive, the reformation of their inmates; this object is made a very secondary matter in the management of this prison; the public demand that institutions of this kind, in our State, should be made to pay their way, and, if possible, earn a surplus, or come as near to this point as may be; and the gentlemen who administer the affairs of this prison, both inspectors and officers, aim to gratify the public in this respect. Accordingly their thought and effort are mainly directed to this end, and very little attention is given, comparatively, to the moral reformation of the prisoners; what the authorities do to promote this end is, to appoint a chaplain to take charge of the matter; beyond this, almost nothing is done in this direction; occasionally, we have an inspector or prison officer, who takes an interest in the moral and religious welfare of the prisoners, and exerts himself more or less for their improvement; but this is an exception to the general rule, and what they do in this behalf is regarded by themselves at well as others, as being rather outside of the range of their proper and ordinary duties; I have just completed my annual report for the year, and offer a part of said report as evidence before this committee in the words following, to wit:



"The question is often asked, ought not religious appliances to be more nerous and efficient? If by this is meant an increase of religious services, re tracts and good books distributed, more private conversations, it might well; but the *great want* would still be the teachings of the spirit of Christ, eloped and illustrated in the wise, firm, yet gentle and loving spirit of se who are placed over these men to guide, control, teach and discipline n in their daily duties and toils. The question whether this class of men be reformed will never be fairly tested till a wise, intelligent, Christian rit breathes not merely through the chaplain and the services of his artment, but through all the officers and all the plans of the institution lf. Let the chief aim be to take the ignorant, debased and criminal, pass them on, step by step, through that process of mental and moral ning which is wisely adapted to give them self-control and make honest n of them; and then, if failure is the result, it may be time to say they not be reformed, but not till then. This is what society, in none of its ns, has yet done for this class of men. With rare exceptions, they e been, from early childhood, under just the influence to make of them sionate, headstrong men and knaves; and when in self-defense, society ts them out from her presence, it should be for their good as well as own. Indeed, her surest mode of self-defense is, to put them under a ess of training that shall change all their habits of thought, their les of life and their aim in living; and thus remedy in some degree sad defects of their early training. No man of judgment will pronce this an easy task; yet an honest effort in the right direction, I am fident, will produce results that will bring a rich reward. If it becomes ttled principle, as some contend, that these men cannot be made better, n they should not be discharged; for what good end can be attained by ing them out to run the same round of riot and crime? The first step ntial to reform in our prisons is, to relieve them from the control of tical partisans and mere place-seekers. It should be enough to con- n the fitness of any man for official position in our prisons, that he s it as a reward for partisan services. Let the place seek the man, not man the place; and we shall never have men fit to deal with the inal class till this radical change is made. This is a point difficult, perhaps impossible to reach under our present system of electing and ointing prison officers; and if so, the fact ought to be fatal to the sys- . One of our greatest wants is, men of character for officers; and the test obstacle in the way is, the greedy clamor of place-seekers deding pay for party services. Gentlemen, you may think I speak plain, *you know* I speak the truth; and I hope no man will count me an my because I tell the truth." The convicts in this prison are required ork quite as hard under the present system of conducting the labor on unt of the State, as they were while the contract system prevailed; at times, perhaps, they are even more severely tasked; no more attenis given to, or effort made for the reformation of the convicts by the norities now than under the former system of contract labor.

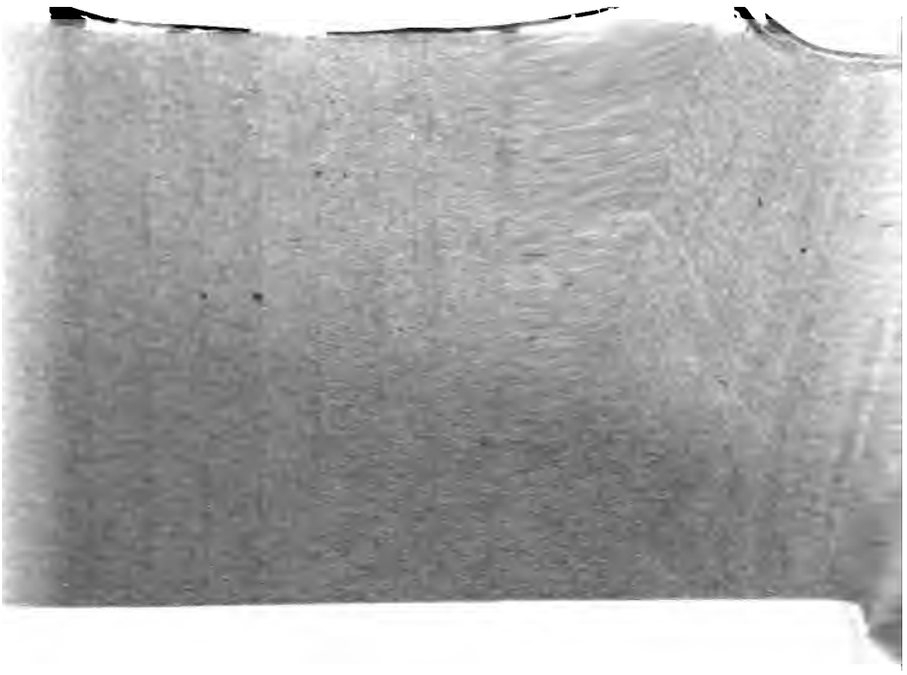
T. V. *Bates*, being duly sworn, deposed and said: Have been connected n the prison, off and on, about eight years; the last six and a half years dily; have served as guard, keeper, yard keeper, and, for the last year, principal keeper; as principal keeper, I have charge of the discipline he institution, subject to the general orders of the agent and warden; administration of punishment is committed to me; the principal punnents in use are the shower bath, dark cell, and, for lighter offences, iron cap; during my administration, the punishment of the buck has n used but once; of the kinds of punishment used, I prefer that of the k cell; I regard its effect upon convicts as at once better morally, and less rious; but it uses up a good deal more of the prisoner's time, and for reason, the shower bath is more frequently employed; the amount of er used in showering men varies from (say) a pailful to two or three els; I should think the average quantity about four pailsful; the time ng which men are kept in the dark cell, varies from three or four hours hree weeks; under my predecessor, one man was kept in it for six ks; the average length of this punishment I should judge to be been one and two days; the prison seems to be conducted mainly as a ness concern, the chief aim being to make it at least self-supporting, if possible profitable to the State; very little thought, if any, is given

the reformation of the inmates; I think, however, there has been a ight improvement in this respect, since the labor has been managed on ate account instead of being let out to contractors; under the present stem of prison management in New York, I look upon attempts at the neral reformation of prisoners as little better than a farce; and the reason that that object is not seriously intended; but if reformation were made e real paramount object, and all the arrangements were wisely adapted that end, the means kindly and patiently applied, it is my belief that formation would be accomplished in the great majority of cases.

Joseph H. Smith, M. D., being duly sworn, deposed and said: I have en connected with the prison seven years, as physician; I am required be present whenever the punishment of the shower bath is inflicted; e reason why I am required to be present, I presume to be to guard ainst carrying the punishment beyond the bounds of safety; this pun- ament I consider it not safe to inflict without a careful examination of ch case; the condition of the heart and lungs must be ascertained, and any organic disease of either of those organs shows itself, it would be rilous to subject the prisoner to showering, and in such case the punish- ent, as a general thing, is forbidden; in the case of rupture and certain ecies of headache, it is necessary to observe the effect of showering very osely, and to arrest it the moment any ill effects appear; not unfre- ently it has happened that I have felt bound by a sense of duty to inter- se, either by forbidding it or by arresting it; I have known cases where jurious consequences have resulted from the use of the shower bath; I ve known pulmonary and bronchial complaints to ensue from it; and in e instance since my connection with the prison, death has indirectly sulted from its use; I have also known cases in which the constitution the recipient has seemed to be permanently injured by it; these injuries, d others of similar kind, have resulted from an excessive use of the pun- ament; when it has been inflicted in moderation, such results have rely if ever occurred; the prisoner is required, before undergoing the nishment, to strip himself entirely naked, the effect of which in many ses, is to produce a sense of shame and degradation, and to humble the isoner in his own esteem; I consider the punishment of the shower bath, the reasons above stated, not a little objectionable, and would be glad see it replaced by something better; I believe that moral means would effective in the great majority of cases, but the difficulty here is, that ch agencies would require for their wise and effective application, keep- of a higher character and a riper judgment than many of those who w receive these appointments.

November 20, 1868.

Andrew Williams, being duly sworn, deposed and said: I am a manfac- rer of bloom iron, and have been engaged in that business for about 12 ars; I carried on the business as a contractor two and a quarter years in nton prison; on the invitation of the inspectors, I subsequently acted as perintendent of the iron department for nearly three months, during e sickness of Mr. Parkhurst, in the fall of 1865; the value of wood as it nds on the ground, before it is cut, is from 25 to 50 cts per cord, according to ation; four miles from the prison I would not value it as high as 25 nts; the cost of cutting and piling kiln wood was, last year, 75 cents per d; this year I should think it would be about 62½ cents; split wood for ling mill would cost for cutting about 25 cents more; the cost of hauling od to the prison would be from $1.75 to $2.25 per cord, according to the tance, it being understood that the greatest distance does not exceed ir miles; wood is worth in the prison yard, when green, $3 per cord; en dry, its value would be the same, with the interest added till dry; od and all other material should be inventoried at actual cost price, un- s there has been a fall in the market, in which case it should be inven- ied at the market price; business men never anticipate a profit on ck; the cost of charcoal delivered in the prison, I should say, would be out $8 per 100 bushels; I think Thorne and Watson got $1.25 per ton for n ore in the mine; in the fall of 1864, and the early part of 1868, I paid 50 for the same ore within the prison yard; the cost of mining and sepa- ing the ore to make it ready for the forge, is about $5.75; to put it into lets would cost, including the ore and its preparation, about $64 per ton



,240 pounds; nail iron costs about $80 per ton, same weight; refined
e shoe iron costs about $85 per ton of 2,240 pounds; bar iron costs about
ɜr ton, same weight; all kinds should be inventoried at cost price; at
'e cost of materials, nails would cost about $4.50 per keg; for storage,
ıge, freight and commission on nails, I would think the average allow-
: should be about 50 cents per keg; I should think it would be right to
w for interest on the capital employed; business men have to pay inter-
an allowance should also be made for wear and tear of machinery;
manufacture of nails is a very fluctuating business; when nails sell for
than $5 per keg, my opinion is, that at the present cost of manufac-
ıg them, it is a losing business if made from bloom iron; when the
ɜr now within reach of the prison is all cut off, my opinion is that the
ufacture of nails cannot be conducted to advantage; but there is timber
within reach of the prison, and for many years to come, should say 15
ɜ at least; since the convicts have been worked on State account, they
been more pressed and much more labor gotten out of them than was
ase under the contract system; from my observation while superin-
ɜnt of the iron department, in 1865, and since, I should say that the
great object in view is to make as many kegs of nails as possible; the
mation of the convicts does not appear to me to enter into the thought
e authorities, except so far as the chaplain is concerned, who is wholly
ıeartily devoted to that work.

AUBURN PRISON, *October* 28, 1868.

G. Salisbury, agent and warden, being duly sworn, testified as follows:
& Simpson have the sash and blind contract, expiring August 31, 1871;
ls for 100 men at 55 cents per day, and is still in operation at the same
; yesterday they employed 60 men; the contract is kept so low for
reasons: first, they have no shop-room for so many men; they claim
there was a verbal understanding that they were not bound to take
50 men; the shop-room has not been extended; I looked to an exten-
ɔf the shop-room, and the contractors plead the verbal agreement; I
ted this to the inspectors, and the matter has lain along without ac-
second, we have not had the men to give them; the average employed
em during the year has been about 60 men, I think; these contractors
ɔromptly; their men are all full pay men; I corrected a practice I
l on my accession to office, of rating men at one-half and one-quarter
n contracts; there is nothing in any of the contracts entitling the con-
ɔrs to apprentices; all contracts require that all the men on them shall
id the full price stipulated; a day's work in prison is about two-thirds
ay outside; the contractors have what they term a day's work; about
itizen foremen are, I think, employed in the sash and blind rooms; I
none of them work in the shop; they merely supervise the work;
ɔntractor provides fuel for shop; I found when I came here, the State
urnishing waiters to the contractors; usually one waiter is furnished
:h keeper; say two waiters to each 100 men; I am told they are usu-
men somewhat disabled; the contractors for sash and blinds furnish
own men; the State supplies water to all the contractors, for which
pay no rent; it is a part of the contract to furnish water, and compen-
ı is made in the contract; the contract (sash and blind) pays $250 a
no other contract pays for water; two keepers are employed in the
ınd blind shop; no extra guard; the State here furnishes stoves and
ɔy the contract; the shop-room, by contract, is 235 feet long, and 37½
'ide; it is a one-story building; the keepers are not allowed to receive
ratuity from contractors or others for any services in their official
ity; the hame contract expired September 1, 1868; the labor is con-
l, and arrangements are made for its renewal for one year from Octo-
for the same number of men, at the same price (58 cents) per day;
has been no intermission in the working; contract calls for 100 men;
'day 95 men worked; it will average 95 men; the inspectors thought
:er to renew the contract for a year than to advertise; the contractors
willing to renew at the same price and same number of men; they
:d a reduction in the price; I did not understand that it was claimed
he discipline had run down, or that the men did not work as well for
of food or any thing of the kind; the contractors run their own en-
and have the water free; the contractors are not in arrears; they only
ɔy citizen laborers as foremen; four keepers are in that shop, which

is two stories; no extra guard is employed; hame shop is 208 feet by 34½; the State keeps the reservoir of water full, and the contractors pump for themselves; keepers are never allowed to act as instructors; tool contract, I. M. Easterly, expires August 31, 1871; it calls for 100 men at 73½ cents per day; that contract is still in force; the average number of men employed is 95; these contractors, I think, are not in arrears; they use steam power and their own engine, and pay no water rent; they employ four keepers; no extra watchmen required; they occupy main building and lean-to, each 213 feet long, each two floors; the cabinet contract expires August 31, 1869; this has been annulled for default in the contractor on the 20th June last or thereabouts; it calls for 75 men, at 67 cents a day; I think about 75 men are employed in it on an average; the contractor is still working 75 men in closing up work, at 75 cents; he has paid that sum since the contract was annulled; it was annulled because the contractor was largely in arrears; when the contract was annulled, the contractor owed $24,744.25; that was arranged by payment of $5,000
Indorsed note..... 16,244 25
Deposit with Comptroller..... 500
Lien on tools, etc..... 3,000

$24,744 25

The note went to protest by indulgence of the inspectors; the security is good; the debt is well secured; the contractors claimed that their sales had not been good, and they could not collect for debts due them; they did not complain of any fault or omission on the part of the prison officials; they used their own engine and paid no water rent; they employed four keepers, I think; no extra guards; Dunn, Gay & Co.'s shoe contract expired December 31, 1867; that contract called for 250 men, at 50 cents a day; they worked about 220 men; they ceased working men at the close of January; after January 7 they worked no men in the prison; the present contractor is John Dunn, Jr.; his contract calls for 350 men at 40 cents a day; one hundred of them are sublet to Pancoast, Sage & Co.; the contract commenced June 20, 1868, and is for three years; the men employed are on an average 220 on main contract, and 73 on subcontract; these contractors pay promptly; Dunn was one of the firm of Dunn, Gay & Co.; they use their own power and pay no water rent; they employ ten keepers, eight on main and two on subcontract; I don't know the price paid by Pancoast, Sage & Co.; Pancoast Sage & Co. did not bid for the contract; this contract was not advertised until the Legislature adjourned; the only bid we received was from John Dunn; Dunn's offer was 40 cents; inquiries have been made since for small numbers of men; the sureties of the old contractor had an interest in the contract, and were anxious to close up the business; I think the business is profitable; Barber, Sheldon & Co.'s machine contract expires August 31, 1869; it calls for 200 men, part at 75 1-10, and part 40 cents per day, about equally divided; about 190 on an average are employed; they have an engine and also a water-wheel; they pay $250 a year for the water-power, and they pump all the water for the prison for all purposes; nine keepers are employed; no extra guards; these contractors pay promptly; I think they have made it profitable; they sublet about half the men on agricultural contract; I don't know what price they get for the men sublet; the machine and axle men are all on this contract; I think they have nine or ten foremen on both branches of the contract; a little work is done for prison officers in the State and tailors' shop by consent of the inspectors, and the amount is paid into the State treasury; no work is done for prison officials for sale; the average number of prisoners during last fiscal year was 952½; I have occasionally found contraband articles introduced into the prison, consisting of stationery, tools and liquor; the tools would not aid escapes; these articles are introduced by visitors or by persons furnishing supplies to shops; we have occasionally found correspondence carried through contractors; have not traced liquor to contractors, foremen or officers; I can't say that contractors or their foremen interfere with the discipline; it may suffer through their presence, incidentally; I found some papers in the hands of prisoners; contractors are in the habit of reporting disobedience of orders and neglect or insolence by convicts; they are not allowed to insist upon punishment; we don't punish on complaint of foremen; when the keeper receives the report, he makes inquiry,



f he finds the man guilty, he reports to the principal keeper; I think
ien are never punished but in the presence of the principal keeper—
t by putting on the iron cap; the keeper acts under my general charge;
unishments employed are the cap, close confinement, shower bath, low
with confinement in the dungeon; in my experience, no man has
punished so severely as to disable him; I have no rule as to the length
ie a man is kept in a dark cell; usually for short periods, varying
twenty-four hours to three or four days, and I think never longer; in
t cell men are sometimes confined for a longer period; the officers are
lowed to perform any extra service, for which they receive pay from
ate; the keepers are not allowed to act as instructors in any depart-
except in the State shops; they act as foremen in all work done for
ate; if the State worked the convicts, I should think well of having
foremen clothed with the power of keepers; the prisoners do over-
there is no rule by which overwork is regulated; men may be stimu-
o overexertion by the extra pay, but it might be regulated so as to be
fit to the convict and the State; the only stimulus of which I am
is paying the men for overwork; I have known men induced to do a
arge day's work, and I find that the conduct of men is prejudiced by
e contractors thereby come under obligation to the convict; having
large day's work, they hold this out as a standard to other convicts,
ireaten to report for underwork, if they fail to come up to it; foremen
g got a convict to do a large day's work by rewards, have insisted
e should keep up to that standard, or report him for punishment; I
t aware that contractors have suffered by stagnation of business; I
ieard no complaint on that ground; when I came here I found that
fice of storekeeper was a myth; the duties were discharged outside
law; I found the yard keeper purchasing, the kitchen keeper pur-
g, the tailor and hospital keeper and storekeeper and agent buying
es; I satisfied myself that no effort would be made toward economy
this mode of doing business; I felt called upon to make the pur-
; I gave directions, with the approval of the inspectors, as to their
as prescribed by law, and required every thing to go into the store-
's hands, and to be used only on requisitions; the keepers perform
luties to my satisfaction, and they second all my efforts; I don't
any that should be removed; we have suspended all that have been
uent; I regard the chaplain as eminently fitted for the place he
I have felt that he was away too much for the good of the prison;
been absent about a month; in his absence he arranges with
the officers to perform his office duties; such an arrangement
res with the duties of that officer; it is his duty to see to the corres-
ice of the prisoners; he gets permission for a protracted absence from
pectors; General Hammond is inspector in charge at present, and
en since 1st of October; the meetings of the inspectors have been
ice in four months, and frequently at intervals; I think the inspec-
ve, in the aggregate, spent more than a week at each prison during
ionth; each visit would be brief; it is better to divide the time and
the week at different times; that would be more convenient for us;
remember an instance of an order being made without consulting
iere is no bathing-room here.

es D. Button, being duly sworn, testified as follows: Am physician
on, and have been since January 1, 1862; in that time I have served
five different wardens, Kilpatrick, McNeill, Conkling, Augsbury
lisbury; whenever it is known that a change is to take place the offi-
come remiss, and it takes new men a good while to get control;
al changes ordinarily relax discipline, and create a necessity for
ment; Mr. Conkling succeeded McNeil, who was warden only one
he change to Conkling had a worse effect upon the discipline than
the others; the keepers under McNeill were not fit persons; the
tors complained that they could not get along; it took a long time
Conkling to re-establish discipline; Conkling was warden about a
id a half; he restored the discipline so as to satisfy contractors; his
failed and he resigned; Mr. Augsbury took his place; there was no
of keepers or of policy under Augsbury; the discipline was good;
been clerk under Conkling; Augsbury was here nearly two years
it and warden; he was removed; General Barnum had come in as

inspector, and he claimed that it was his province to name a man to fill a vacancy, the man was not ready to come, and Augsbury took the place, to resign when Mr. Salisbury came; it was expected that Salisbury would be here by January, 1867, but he did not come for nearly a year after that time, and Augsbury thought the conditions had been waived or forfeited, and refused to resign, whereupon the inspectors removed him; no charges were brought against him; the inspectors offered to pass a resolution attesting his fitness if he would resign; there was no change in the discipline after the change of warden; the principal officers remained the same; I think Mr. Salisbury is the most competent man for warden since I have been here; Austin was principal keeper when I came here, under Kirkpatrick; Austin punished a good many by the yoke; Topper came in as inspector at the same time, and he thought as I did; the board passed a resolution prohibiting such punishment, except in the presence of the physician; Austin was turned out and Gallup came in, and he could not punish unless I was present; a change took place in the health of the men in consequence; the yoke is occasionally used now.

Oliver T. May, being duly sworn, testified as follows: I am clerk of the prison; I don't think of any change that has been inaugurated in my office under Mr. Salisbury; there have been some stoppages as regards waste in the prison; heretofore contracts for coal have been made in August, deliverable when wanted, and paid for at the market price when delivered; we have this year received it all, paying only the price charged at the time of making the contract; I have been clerk nearly two years; Mr. Augsbury was warden when I came here; Mr. Salisbury has made changes in the issues of supplies of all kinds; this has been a saving to the State; every thing now goes through the storekeeper's hands, and is issued on requisitions; the statute is now complied with; there has been a saving in towelling, soft soap and other things; the waste is attributable to different keepers; in the fall, when we buy beef, the hams and some of the other parts of the animal are sold, and sometimes officers buy it; officers are allowed to have coats, shoes and slippers made from State supplies, the supplies being charged at cost and the labor at 60 cents a day; there is but little chance for abuse in this; the tailor has to account for all the supplies; miscellaneous earnings consist of any thing that is received upon sales other than convict labor, and pay for board of United States convicts; we don't keep hogs now; we get $25.42 a month for swill; there is nothing estimated for a month that has not been bought or is expected to be bought for the month; I don't remember that an inspector has ever staid a week at the prison; I don't think they average a week in a month; the ordinary visits of the inspector in charge are from one to three days; sometimes he comes two or three times a month; General Hammond has never been in charge of this prison until this month; there have been a great many changes in the keepers since I have been here; we have now a better class of men than heretofore; no man who drinks to intoxication is allowed to be here; profanity is not allowed in the prison; no papers are allowed in the prison, and no smoking; the chaplain takes the letters for convicts and distributes them once a week to the convicts; he was here about a week ago; he has been absent about a month, off and on; he was here one or two days a week ago; I think he preached two Sundays ago; the principal keeper keeps the time book.

Dr. J. K. Bates, being duly sworn, deposed and said: I was an inspector when the five year contract for work in the quarries at Sing Sing was let to Walker; Forrest and General Barnum were the other inspectors; the contract was negotiated by all the inspectors; Walker only applied for 100 men, and we gave him all he wanted; he did not employ that number when I left; his contract for one year was approaching its end; there was but one lime kiln and that belonged to Sands; Sands & Son had had a contract for burning lime from the marble; the State charged him 75 cents a day for the men, and 25 cents a ton for the stone delivered at the kiln; he only employed about the kiln from three to five men; this had been in operation for several years; he was slow and in arrears in paying the State; he took the limestone which was got out in the other operations; the larger pieces were cut; after that Sands had to get his stone from Walker until they connected their interests; Walker put the railroad there; my last three months' service were at Sing Sing, and Walker's men were being

aken off; he said he could not work men to advantage; I insisted that he hould take his whole 100 men, and he protested against it; he claimed and nsisted that the men were good for nothing to him; he said he was making othing, but losing money; there was a feeling with the inspectors that here might be a time when it would be better for the State to have the uarries to furnish marble for public buildings; the subject of burning lime vas not discussed to my recollection; I went out of office December 31, 866; Beardsley was warden when I became inspector, and he did not nderstand that the lime burning was of any account; Sands complained hat he could make but little, and he was in arrears to the State for the few nen he employed, and for the stone; I think that all the men at Auburn ould have been let on reasonable terms for making shoes, by a proper effort; I have always favored the working of convicts by the State, and abolishing the contract system, with a view to the improvement of the convicts and the benefit of the State; under the contract system if money is made the contractor makes it, and in case of loss the State sustains it, as the contractor does not pay; I think Augsbury was a good agent, one of the best I ever knew; I think all the able bodied convicts at Sing Sing could be let on contracts, or employed by the State; I would prefer shoes to any other work; every keeper in charge of a gang of men should have a practical knowledge of the work being done, and every foreman should have the authority of a keeper; I was inspector six years; as reformatories, I consider our State prisons under the present system of management as not accomplishing what they might be made to accomplish under another system; political changes in the officers of the prisons have a decidedly injurious effect upon the discipline and the convicts; the contract system is unfavorable to discipline and the best good of the convicts; I think there are some genuine reformations of convicts in prison; the number is small, very many, especially the young prisoners go out worse than they came in; under the contract system, convicts cannot be classified and placed in the most favorable condition for improvement.

John Dunn, Jr., being duly sworn, deposed and said: I reside in Oswego; I was one of the firm of Dunn, Gay & Co.; my partners resided in Syracuse; I have been a contractor in this prison since December, 1866, I think; the present contract is in my own name; I have five other partners, James McEllis, of Syracuse, one of the sureties on the old contract, E. B. Nichols, T. B. Fitch, also one of the old sureties, George Barber, of Auburn, L. W. Bignell, also of Auburn; they became interested after the making of the contract with me, and before the men were ready to go to work; no other person has had an interest in the contract with me; I conferred with these gentlemen before making the contract, and the arrangement had been conditionally made between us; I made a formal written proposal for the contract, and made that on the day of the meeting, and prepared it here; no other bids were in; I talked with General Barnum about the form of the bid, and he referred me to the agent; this was nine days before, and while the advertisement was running; nothing was said as to the price; Pancoast, Sage & Co. and I had a little talk before the contract; that was as to the number of men; I did not want so many, and they agreed to take 100 off my hands; they pay me 45 cents per day; my impression is that the inspectors did not know of this understanding; I know of no one else here on that business; we had an interview with Pancoast, Sage & Co. soon after the advertising of the work; the contractor was required by the advertisement to take from 250 to 500 men; Pancoast, Sage & Co. were unwilling to take so many men, but would take 100 men; men would have been let more readily in fewer numbers, (say) in 50 or 100 men; our first contract was profitable; the value of our machinery and tools is a little less than $15,000; I had no conversation with any State prison official about advertising before its publication; Barnum thought we had better take a contract for a year; we ran into January, working the Dunn, Gay & Co. contract; we worked some men without pay; General Barnum said to me we might work the men without pay; we worked men without pay until about the adjournment of the legislature; we worked less than 250 from some time in January until about the first of April, or a little later, without pay; no compensation was made, directly or indirectly, for the work to any one; the suggestion was made by General Barnum after a conference here; they thought it better that the men should

ork; I think no proposition was made that we should take the men and
ay monthly for them; convict labor is worth, I think, not half as much
citizen labor; I have had no experience outside in manufacturing; there
no difficulty growing out of a want of discipline; Mr. Salisbury was
ent when we took the present contract; the old contract expired at a bad
ason of the year; we are now getting as good prices as we were a year ago,
d better, in view of the comparative cost of material; some of the men
t through their work at 2 o'clock, and sometimes as early as 12 o'clock,
d all get through before the bell rings for closing; after they get through,
ey wash up and return to their places and read; it is a rare thing that I
d to report men for punishment; Augsbury said we had less trouble than
y other contractors; the convicts sometimes do overwork by aiding each
her; we allow them a consideration, which we generally adjust with the
ent; when I came here, I found balances due the men from Fenton,
hich I felt bound to pay; the balances run from $100 down to a few pen-
es; I have never known a convict to overwork to his injury; we have 12
rsons employed as instructors; none of these work steadily at the trade;
ntractors have not suffered from a depression of the times.

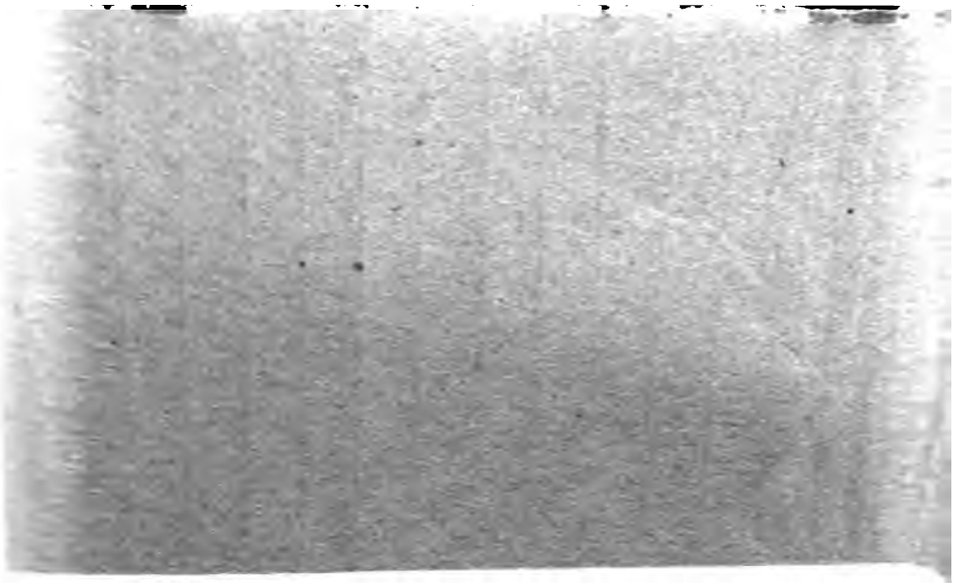
Darius D. Tuttle, being duly sworn, deposed and said: I am storekeeper
Auburn, and have been since June, 1867; I was the first storekeeper
pointed here; I have four men under me, all convicts; the relief
epers in the kitchen assist me; all the supplies purchased for the prison
me into my hands; usually the agent advises me of the purchases; bills
the purchases always come with the articles; these bills I keep on file
d enter them in my money book; we compare the bill with the goods;
e measure and weigh all the articles and examine the quality; the entry
the name stands for the entry of the goods; we post that entry in a
dger; supplies are issued on a requisition of agent or kitchen keeper;
ese requisitions are immediately entered in a book with stock; we take
ceipt of the person presenting the requisition, and I measure and weigh
l articles delivered, the same as on receipt, and intend to do it accurately;
e deliveries are posted on the ledger, and I make them balance.

Extract from the principal keeper's report of absences.

Names.		Office.	Days present.	Days absent.	Reasons for absence.
I. Ives,	August, 1868.	Chaplain.	29	2	Business by permission.
	Sept. "	"	16	14	" "
	Oct. "	"	4	27	" "

October 29, 1868.

Morgan Augsbury, being duly sworn, testified as follows: I was clerk of
uburn prison for two years, and agent and warden from August, 1866, to
ecember, 1867; while I was agent, it was the custom to allow contractors
employ half-pay men; I found it existing to a large extent when I went
ere; I reduced it as fast as I could, and when I left there were but few
; of the 300 on contract, about forty were half-pay men; I believe some
that number earned full pay; I don't think any of the contracts provi-
d for the working of prison convicts as apprentices for a time at half
ay; I was troubled by the bringing in of contraband articles by contrac-
rs' foremen; I found liquor in the shops, said to have been brought in by
remen, and it led to disorder and punishment of the men; in that way
ntractors and foremen interfered with discipline; the shower bath was
e principal punishment; the buck and yoke were used; I have not
nown of men being physically injured by punishment; I was very care-
l in my instructions as to punishment; it was the duty of the physician
be present; I don't know, of my own knowledge, that any officer
ceived extra pay beyond that allowed by law; I was informed by a fore-
an that a keeper was receiving extra pay from a contractor; I did not
arn the amount; I don't think we found it necessary to employ extra
ards or keepers, except on one occasion; the shoe contract of E. P. Fen-
n & Co. expired while I was there; the contractors were indebted to the
tate a little less than $10,000; stringency of the money market and stag-
ation of business, they alleged as the cause; Fenton finally failed; the
ebt was secured before the reletting, or rather Fenton bid off and was
warded the contract, and was required to pay up his indebtedness, which
e did; I think the contract was advertised; there was some of the time
at the men were unemployed; keepers are not allowed to act as instruc-



s; I should prefer that foremen should be clothed with the powers of epers when convicts are worked by the State; when I first acted as clerk, found convicts doing overwork by a resolution of the board of inspec-s, passed before I came there; the privilege of overwork was afterward olished; the reason, as I understood, was that the men exerted themselves o much and injured their health; frequently the convicts were stimulated extra exertion by presents of articles; I should have called the cabinet ntract a success, and I think I would have made it a success; they owed e State a large sum, but I had secured it by a personal contract; this con-act was not annulled while I was there; prisoners were not allowed to ork for the officers; it was prohibited; the whole revenues of the prison ere the moneys received from the treasury; some contractors complained the depression of business; some had ready sales at all times for their pro-ucts; no citizen was allowed to work on contracts inside; the inspector in harge never staid at the prison a week in a month; they never staid over wo days; Dr. Bates came very near the requirements of law; Clark gave the rison but little attention; he was in the minority, and was there but very ittle; we employed substitutes for officers the best we could find; I put them n myself, and selected the best I could find; from March, 1867, I had store-eepers; the books were kept by the storekeepers, so that they could be un-lerstood, and the balances were brought down every month; the storekeeper ntered all the bills and weighed and measured all the articles; they did not ake account of stock every month; we had no checks except the account to show whether any thing had been stolen; the supplies were issued by myself in writing; a requisition book was kept and that was signed by me; at the close of the month I signed the requisitions that had been filled up during the month; I did not find that we were short of any articles; the duties of storekeeper do not require more than one man; the man appointed was not fit to do the duties; and another man was appointed to do them; the assist-ant then did, and as I understand, still does the duties; Captain Leonard is the assistant; the inspectors gave no reason for employing two men; Tuttle is from Onondaga county, and is, as I understand, a relative of General Bar-num; they are cousins by marriage, I think; I have been so informed; it was my duty to purchase supplies; Leonard purchased sometimes by my orders; I always tried the market to see where I could get them best; I had conversation with Barnum and Forrest also; I told Forrest, Tuttle was incompetent, and I suggested that if he (Tuttle), was to keep the place, Leonard should do the duties; he spent his time in the storeroom; I had the market outside of Auburn; Mr. Ives was chaplain, and I can't say he performed his duties faithfully; a year ago Mr. Ives was absent attending political meetings; he went at the request of the inspectors; he has been absent on other matters; he goes off for pay, as I understand, sometimes; I think I am safe in saying he is gone one-fourth of the time, each year I was there; perhaps one-third; I complained to the inspectors and they finally ordered deductions from pay, and the first month thereafter, I deducted about $20 from Mr. Ives; after that he got permission; we had some good men among the keepers; a good many were incompetent, im-moral and intemperate, and we had more of that after Barnum came, than before; the effect upon the discipline was bad; as reformatories our prisons are a failure; men are there educated in crime; the effect of bad keepers was felt throughout the prison; the same class of men were employed as guards; the inspectors never examined the men as to qualifications; they were appointed upon political recommendations; Dr. Button performed Ives' duties in his absence, until he became disgusted, and then I did them, and after that I got Mr. Leonard to perform them; Ives would generally make arrangements for preaching; the inspectors violated the law in remaining in charge of prisons longer than allowed by law; Barnum was in charge here eight months that year; keepers are not allowed to swear or use profane language or to come on the premises intoxicated; I never had to apply a penalty; there was no work done in State shop for officers while I was in the prison; I discharged a man for having work done by convicts, and he has been reinstated.

Dr. Button, re-examined: Have served, as before stated, under five dif-ferent administrations; during that time the main object of all these dif-ferent administrations, as far as I can judge, has been to make the prison pay its way, and earn a surplus if possible; I think there has been a *desire*

on the part of those who have governed and administered the prison during my connection with it, for the improvement of the prisoners; but there has been little or no *faith* on their part in the reformation of the criminal class, and, consequently, little effort put forth directly to that end; if reformation were to be made the leading object of the discipline, I think that the whole system would have to be remodeled and radical changes introduced; if I were charged with organizing a prison, and wished to make reformation the chief aim, I would endeavor so to arrange the system as to put the fate of the prisoner in a great measure in his own hands; I would have different grades or classes to which he should be advanced, as his conduct merited such promotion, and he should be encouraged to try to do well by continually increasing privileges as the reward of good conduct, so that hope should be an ever-active principle in his breast; I would organize a school for the instruction of the ignorant, where they should be thoroughly instructed in the branches of an ordinary English education; I would seek to introduce the principle of individualization as far as practicable, so that the instructions should be adapted to the wants of each, morally as well as intellectually; I would have each prisoner put in possession of the complete knowledge of a trade, so that he should have the means of earning a livelihood when he goes out; of course, moral and religious instruction should be made prominent throughout the whole period of incarceration; in order to accomplish these objects, the labor of the prison would have to be organized upon a different basis from that now in use; the contract system would have to be discarded, and the convicts worked by the institution itself; I would have the convicts required to labor to the degree of earning their own living, regarding work as an essential reformatory agency; I would abolish all physical punishments, and substitute those of a moral nature in the discipline, consisting mainly in a deprivation of privileges; I regard labor as highly reformatory, if rightly organized, but as conducted here, at present, it is often injurious, at least, physically; for instance, in the shoemaking department, the men are arranged in teams of six or eight, and each one learns only that part of the trade of a shoemaker which belongs to his place in the team, and his work brings only one set of muscles into play; a man may work here many years at the business of making shoes, and he will have but a little piece of the trade, so to speak, when he goes out; I believe that a prison may be made reformatory and at the same time self-sustaining; indeed, I think that it should be inculcated upon the prisoners, that it is absolutely indispensable that they earn their living while shut up in prison and undergoing the punishment imposed upon them for their wrong doing.

Colonel Winslow M. Thomas, being duly sworn, deposed as follows: Am principal keeper in the prison; stand at the head of the police of the prison and have charge of its discipline, subject to the orders of the warden; have held my present position 23 months; had never served as a prison officer before, except three months as clerk in the Auburn prison, prior to my appointment to the office I now hold; the punishments now used in the prison are the iron cap, the dark cell and the shower bath; special punishments have been resorted to in a very few instances, as the ball and chain and shaving the head; one able bodied man in good health, who had been in prison nearly a year, and had never done a full day's work, was required to carry bricks in a knapsack till he consented to labor, and is now doing full work; the punishment of the iron cap is inflicted by the keepers in their several shops, and is not matter of record; this is inflicted for talking in shop, or other light offences, especially a first offence; the cap is taken off whenever the offender promises amendment, which is usually the same day in which it is put on, often within an hour or two; indeed, it is a general rule of punishment here, that they cease as soon as the offender expresses penitence and promises to do better; the common punishment for offences of a graver character is the dark cell, the shower bath being reserved for those most serious; I think the shower bath might be entirely dispensed with as an instrument of punishment without detriment to the discipline; it is retained, I judge, mainly because it is a more expeditious mode of punishment, saves the time of the convicts, and thereby prevents loss to the State; I think well of employing moral influences in the government of the prison; such agencies are used to a considerable extent, and with good effect; the great object for which the authorities of the prison plan

d labor is to make it self-supporting; if reformation were the leading ject, a different policy altogether would be pursued; I do not think that formation would be in all cases accomplished; but if that were made the rincipal object and were labored for honestly and intelligently, I am of e opinion that in the great majority of cases it would be effected; but I n strongly of the opinion that under the present system this is not done; find a material impediment to discipline in the existence of the contract stem, and the same system I think, constitutes a formidable obstacle to e reformation of the convicts; one way in which it operates to impede formation is by interfering with the distribution and classification of risoners; under this system prisoners must be distributed agreeably to its xigencies; these often require, for instance, that a young offender, com- itted for some comparatively trifling offence, be placed in the same shop ith, and work by the side of, an old professional burglar, from whom he arns all the devices resorted to by practical criminals.

Major Oliver T. May, being duly sworn, deposed as follows: I have been onnected with this prison as clerk for nearly two years; from my ob- ervation, I judge that the leading aim of the gentlemen who control nd manage the prison is, to make it cost the State as little as possible; eformation could not be made the chief design with the contract system n operation; that system, by the very law of its being, sets itself too directly and strongly against such a purpose; I think there is a large num- ber of cases in which reform could hardly be hoped for, and where the deterrent principle alone can be relied upon; but in regard to the younger class of convicts, and these constitute by far the larger part, I think a good proportion of them might be reformed, if reformation were made the great and leading object; but in order to do this, the system of government and discipline would have to be materially changed; the labor system must be altered; more attention must be given to education; every convict must be taught a full trade, and the self-respect of the prisoner must be restored and his manhood given back; this done, he is a reformed man.

THURSDAY, *October* 29, 1868.

Pliny Hall, being duly sworn, deposed and said: Have been connected with the prison nearly eight years in the capacity of keeper, but at two different times; I was first appointed in 1848, and continued in service nearly or quite four years; my second appointment dates from January 18, 1865, and I have served without interruption to the present time; have been in the machine shop during the entire period of my second term of service; the average number of men under my care is about 65; my system of discipline is rather mild than otherwise, and the number of punishments small in proportion to the number of men under my care; I find the men, as a general thing, as mild and easily governed as could be expected of men of their class; the commutation law operates well upon the prisoners, and the great majority of them earn the full amount of dimintuion of sentence granted by law; it appears to me that some of the prisoners might be reformed, but what proportion of them are reformable I could not say; I believe that a few of the convicts leave the prison, when discharged, reformed men, but I think it much the smaller portion; I have heard the testimony of the clerk, Major May, and concur in the views of that officer as therein expressed.

Daniel W. Beadle, being duly sworn, deposed and said: I am a minister of the gospel; I have been connected with the prison in the capacity of a teacher; I attend at the prison and give lessons from six to seven and a half o'clock; the average number to whom I give instruction is about 60; three gentlemen are employed in imparting instruction — two besides myself; we are all engaged at the same time and during the same number of hours; the others average about the same number of pupils as I do; the general condition, on which alone convicts can be received as pupils, is the record on the prison register that they are unable to read and write, but this rule is sometimes relaxed on an order from the chaplain; in summer, when we give lessons by daylight, our practice is to find out all who, in our judgment, need instruction, without regard to the record; but in winter, when lights are to be provided, we are held strictly to the rule; this is because of the expense necessary to be incurred in providing lights; the authorities do not object to what I have stated as our practice in summer;

our lessons are in general confined to the common English branches, reading, spelling, writing and arithmetic; sometimes grammar is added, but the cases are rare; the general rule is to get round the class once a week; my practice is to give a lesson to each one twice a week; the convicts are allowed lights only on the nights on which they individually receive lessons; I have taught school a good deal, and I can say that I have rarely had scholars who learned as well as these convicts; as regards the substitution of a prison school for the present plan of individual lessons, my idea is this: that the alphabet and spelling would be quicker mastered under system as it now is, but that after that it would be better to have the convicts taught in a school, where they would be instructed in classes; I do not think that the reformation of the convicts is by any means the leading object had in view in the conduct of this institution; politics and money making have too much to do with it; nor do I think, as a matter of fact, that any great number of men leave the prison reformed; a few, I think, go out with really better principles and character than they came in, but this is not true of the great mass; on the contrary, they are worse when they are discharged than when they were committed; they go out schooled in crime.

